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History of the General
Property Tax in Illinois
1870-1909

Economics

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THE HISTORY OF THE GENERAL PROPERTY TAX
IN ILLINOIS, 1870--1909

BY

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A. B. Augustana College, 1908

THESIS

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History of the General Property Tax
in Illinois. 1870 - 1909.

Introduction.

The State of Illinois, when it adopted its first constitution in 1818, followed the practice set by other states of the Union and made the general property tax the principal source of its revenue for both state and local purposes. The system then adopted, has since remained the same in principle ¹ tho modified from time to time to meet new conditions, such as the increase of intangible property, the advent of the corporation and the like.

²
In the early references to the revenue system of the state, by governors and by auditors of public accounts, the problem of undervaluation and inequality is often discussed, but there does not seem to have been at that time any tendency on the part of these officials to criticise the principle of the general property tax, or to question the advisability of retaining this system of taxation for both State and local purposes. In later times especially since 1880, there has been a very marked change in the nature of the criticism. The desirability of continuing the general property tax as

1. The establishment of the franchise and inheritance taxes may be considered as a departure from the general property tax system, but the fact that the income from these sources has been small lessens their importance.

2. Gov. messages - 1839, '42, '49, '67, '69, '71.- Auditors' reports, 1854-1861.

a source of State revenue has been questioned by several governors,¹ and in 1886, the Revenue Commission recommended that the State should secure its revenue from other sources. The question has also been raised as to whether intangible property should not be exempt from taxation.

Criticism, therefore, has not been wanting, but notwithstanding this, the general property tax still continues to be the main source of State and local revenue. Whether the contemplated tax commission will effect a change is of course a question of the future. Since, however, other states have shown a distinct tendency to separate state and local taxes, it is quite probable that Illinois will eventually do likewise unless the experiment by the other states should prove unsuccessful.

In theory the general property tax proposes to tax the individual according to his ability to pay, the ability being measured by the amount of property possessed. "The system," to quote W. M. Daniels, "assumes that the payment of taxes is the duty of every property owner; that the value of the owner's total property is the index to his ability to contribute to the public Treasury, and that this measure of ability can with measurable accuracy be ascertained." The same thought is presented from a slightly different point of view by David A. Wells. He states "that the general property tax is founded on the assumption that in order to tax equitably, it is necessary to tax everything; the term everything being at the same time used in a sense so indefinite as to embrace

1. Gov. Cullom and Gov. Oglesby.- Governor's message.

not merely things in the nature of physical actualities other than persons, but also persons, incomes, rights, representatives of property, titles, trusts, conclusions of law, debts, and in short any act of assessing capable of resulting in the obtaining of revenue."

These statements show in a way what is attempted by the general property tax, but since they are rather indefinite, it will not be amiss to state in the clear terms of Prof. Plehn, the exact nature of the system as we find it in Illinois and in the majority of the American states. By him the general property tax is defined, "as a direct tax upon property or upon persons, natural or corporate in proportion to their property, except only such as may be specifically exempt on account of its or their public character or from considerations of public policy."

Having thus seen what the general property tax proposes to do, the questions which arise are, first, is the tax just in principle, second if so can it be applied effectively. In this paper no special attempt will be made to consider these questions in detail. Furthermore such an attempt would be quite unnecessary as many eminent students of taxation have treated these questions at great length.

As a general rule, all prominent writers on the subject have answered the second question in the negative, maintaining that a general property tax whether or not it is right in principle is unjust and inequitable in practice. As to the first question, whether or not the tax is right in principle, the tendency at present is also unfavorable to the system. Earlier it was quite a commonplace remark to state that the general property tax was right

in principle, and that an efficient administration was the only thing needed to make the tax equitable and just. 'Tho this remark was formerly a very common one, the tendency of late has been to question the principle of the tax, a good example of which is to be found in the criticism of the general property tax by Prof. E. R. A. Seligman.

To summarize the objections which have been urged by critics of the system, they can readily be classified under five heads. These are, first, that the tax is not uniform, second, that it lacks universality, third, that it is an incentive to dishonesty, fourth, that it causes double taxation and, fifth, that property forms no criterion of ability to pay. Prof. Seligman in concluding his criticism of the tax speaks in the following terms: "The general property tax is beyond all doubt one of the worst taxes known in the civilized world. Because of its attempt to tax intangible as well as tangible things, it sins against the cardinal rules of uniformity, of equality and of universality of taxation. It puts a premium on dishonesty and debauches the public conscience: it reduces deception to a system, and makes a science of knavery; it presses hardest on those least able to pay; it imposes double taxation on one man and grants immunity to the next. In short, the general property tax is so flagrantly inequitable, that its retention can only be explained thru ignorance or inertia. It is the cause of such crying injustice that its alteration or its abolition must become the battle cry of every statesman and reformer."

Such then are the general objections made against the tax system and the conclusions of one of the foremost authorities. As to what

should be done to remedy the evils, there is little uniformity of opinion. On the one hand the more conservative writers would only alter the system, that is, limit the kinds of property to be taxed, confine the use of this form of taxation to local revenue purposes and reinforce the tax by other forms of taxation. The more progressive writers, on the other hand would abolish the system entirely and substitute several other taxes such as the income tax, the license tax, the franchise tax, the inheritance tax and others of a kindred nature.

In this study, as has already been said, no attempt will be made to emphasize any special feature of the tax but it will be well to keep some of these questions in mind, so that it may be seen whether or not the history of the tax in Illinois justifies the objections made.

The three constitutions that have been adopted successively by the State of Illinois, have all emphasized the general property tax as the basis of the revenue system and can be said to differ only in degree. Each succeeding constitution, namely, is more specific than its predecessor in enumerating the property to be assessed and in regulating the manner of assessment.

The first constitution, that of 1818, only touched upon the subject of taxation in its declaration of rights, guaranteeing to the citizens of the state that, "the mode of levying a tax shall be by valuation so that every person shall pay a tax in proportion to the value of the property he or she has in his or her possession."

The second constitution, that of 1848, treated the subject of taxation in greater detail, devoting to the subject, an article

of six sections. It provided with respect to the general property tax (1) that the general assembly should levy a tax by valuation, (2) that the general assembly should also have the right to tax pedlars, auctioneers, etc., (3) that certain forms of property might be exempted from taxation, (4) that purchasers of lands sold for taxes must comply with certain conditions before they shall be entitled to a tax deed for the lands purchased, (5) that corporate municipal authorities might be vested with power to assess and collect taxes for corporate purposes, and (6) that the specification of taxable subjects and objects by the constitution should not deprive the general assembly of the power to tax other subjects and objects.

The last constitution, that of 1870, differs from its predecessor in the extent of its provisions and in the emphasis laid upon uniformity, and the limitation of taxing power and bonded indebtedness. In addition to the main provisions of the previous constitution which have any bearing upon the general property tax, it provides (1) that tax sales must be conducted by an authorized officer and the money paid in to some general officer of the county, (2) that exemptions from taxation shall be made only by general law, (3) that the right of redemption from all sales of real estate for taxes or special assessments shall exist in favor of the owners and persons interested, for a period of not less than two years, (4) that no municipal corporation may be discharged or released from its proportionate share of the State taxes, (5) that all taxes levied for State purposes shall be paid into the State treasury, (6) that county authorities may not levy a tax to exceed 75 cents on the dollar, except for the payment of indebtedness existing at the adoption

of the constitution, unless authorized by a vote of the people, (7) that the general assembly may vest municipal corporate authorities with taxing power, but such taxes must be uniform with respect to persons and property within the jurisdiction of the taxing body, (8) that the general assembly may not impose taxes upon municipal corporations for corporate purposes, and (9) that no municipal corporation may become indebted, to exceed 5% on the value of its taxable property. Any county incurring indebtedness must before or at the time of doing so, also provide for the collection of a direct, annual tax sufficient to pay the interest on the debt as it falls due, and the principal within twenty years from the time of contracting the same.¹

1. The articles dealing with the subject of revenue in the constitutions of 1848 and 1870 have been incorporated in full into the appendix, so that the reader may, by referring to appendix, compare the provisions of these constitutions and note the development of the problem of taxation in Illinois during the intermediate period.

The Base of the General Property Tax.

The property subject to the general property tax by the revenue law of 1872, the first to be enacted under the new constitution, was essentially the same in kind as that enumerated in previous statutes. The new law, however, specified in greater detail the various kinds of property to be taxed. Two instances where special forms of property are enumerated in the law of 1872 which were not mentioned in the previous laws, are "property in transitu", the capital stock of companies and associations incorporated under the laws of the state.

The following is the property which is taxable by the law of 1872:¹

1. All real and personal property in the State.
2. All moneys, credits, bonds or stocks and other investments, the shares of stock of incorporated companies and associations, and all other personal property, including property in transit to or from this state, used, held, owned or controlled by persons residing in this state.
3. The shares of capital stock of banks and banking corporations doing business in this state.
4. The capital stock of companies and associations incorporated under the laws of this state.

From these classes of property, the following were exempted by the act of 1872:

1. Laws of Ill.- 1872, p.1.

1. All lands donated by the United States for school purposes, not sold or leased. All public schoolhouses. All property of institutions of learning including the real estate on which the institutions are located, not leased by such institutions or otherwise used with a view to profit.

2. All church property actually and exclusively used for public worship, when the land (to be of reasonable size for the location of the church building) is owned by the congregation.

3. All lands used exclusively as graveyards or grounds for burying the dead.

4. All unentered government lands; all public buildings or structures of whatsoever kind, and the contents thereof, and the land on which the same are located, belonging to the United States.

5. All property belonging to any county, town, village or city, used exclusively for the maintenance of the poor. All swamp or overflowed lands belonging to any county, so long as the same remains unsold by such county. All public buildings belonging to any county, township, city, or incorporated town, with the ground on which such buildings are erected, not exceeding in any case ten acres.

6. All property of every kind belonging to the State of Illinois.

7. All property of institutions of purely public charity, when actually and exclusively used for such charitable purposes, not leased or otherwise used with a view to profit, and all free public libraries.

8. All fire engines and other instruments used for the

extinguishment of fires, with the buildings used exclusively for the safe keeping thereof, and the lot of reasonable size on which the building is located, when belonging to any city, village or town.

9. All market houses, public squares or other public grounds used exclusively for public purposes. All works, machinery and fixtures belonging exclusively to any town, village or city, and used exclusively for conveying water to such towns, village or city.

10. All property which may be used exclusively by societies for agricultural, horticultural, mechanical and philosophical purposes, and not for pecuniary profit.

In 1887,¹ an attempt was made to exempt from taxation, the stock and notes of Mutual Loan and Homestead associations on the ground that they are only evidences of property since all the money paid to such corporations is immediately loaned out and placed into taxable property. The same provisions were re-enacted in an act of 1891² but neither were enforced since the Supreme Court³ declared the exemption unconstitutional. In 1901,⁴ an act was passed which provided for the exemption from taxation of the stock of associations while loaned upon by and pledged as security to the association issuing it, to an amount equal to the par value of such stock. This exemption was also declared unconstitutional.

1. Laws of Ill.- 1887 - p. 131.

2. State laws.- p. 89.

3. State Supreme Court - 153 - Ill.- 609.

4. Laws of Ill.- 1901 - p.251.

In 1905, three additional exemptions were made all of which have been held to be unconstitutional. The following are the exemptions made:

¹
(1) All the moneys collected and on hand within the state of every kind and nature of fraternal beneficiary societies and the subordinate lodges thereof, which are organized and exist or admitted to do business under the laws of the State of Illinois, and used exclusively for the purposes of such societies and not for pecuniary profit.

²
(2) All parsonages and residences of persons devoting their entire time to religious work.

³
(3) The capital stock of companies and associations organized for purely manufacturing and mercantile purposes or for either of such purposes; for the mining and sale of coal; for the printing and publishing of newspapers, or for the improving and breeding of stock.

1. State laws.- p. 350. State Sup. Court - 223 - Ill.- 54.

2. Laws of the State. 1905 - p. 357 - State Sup. Court - 232 - Ill. - 158.

3. State laws.- 1905 - p. 353 - State Sup. Court - 236 - Ill. - 149.

The Tax Levy.

The power to levy taxes in the State of Illinois, apart from the levy of state taxes by the legislature, is vested by the state in the so-called municipal corporations, namely, the county, township, city, village, town and district, the latter including the school, road, sanitary and park districts.

Of these taxing bodies, the state is, of course, the most important when politically considered since the ultimate power of levying taxes and authorizing the levy thereof by municipal corporations resides in the state. When considered, however, from the point of view of the amount of taxes levied, the state is surpassed in importance by the county, city and school districts.

State,-

The levy of state taxes is made by the general assembly, each assembly determining the amount to be raised annually for a period of two years. By the act of 1872,¹ it was provided that the taxes to be levied for state purposes should be levied for three funds: namely, the Revenue Fund, the Interest Fund and the State School Fund. In 1874, the Interest Fund was dropped, and since then the taxes have been appropriated for the two remaining funds.

For the levy of taxes for the Revenue and Interest Funds, the act of 1872 left it to the legislature to determine the amount, but for the School Fund it provided an annual levy of two mills upon²

1.Laws of Ill. - 1872 - p. 31.

2.Laws of Ill. - 1872 - p. 732.

each dollar's valuation of property. The two mill tax was discarded in 1875 and since then it has been left to the legislature to determine the annual appropriation for this fund, the same as for the Revenue Fund.

Considering the sources of the State revenue, the table on page 14 shows that the State receipts from the general property tax since 1870 have annually exceeded the receipts from all other sources. This fact is significant as it shows the importance of the general property tax as a state tax in Illinois, and thereby the importance of an equitable distribution of the tax among the counties of the state if the tax is to be retained and local taxation not to be divorced from State taxation.

Another significant fact revealed by the table is the phenomenal increase of receipts during the last ten years during which period the receipts were doubled in amount. If this condition is to continue, it will, of course, necessitate a corresponding increase in the tax rate, a circumstance which is not agreeable to the statesmen and will no doubt accelerate the establishment of other sources of revenue for the State.

Comparing the State tax with the total tax in the State it is worthy of notice that the ratio has constantly decreased, showing that the needs of the State have not increased in the same proportion as the needs of municipal corporations. Thus in 1870 - the State tax was 19% of the total, in 1875 - 13.5%; 1880 - 13%; 1885 - 12%; 1890 - 9%; 1895 - 9%; 1900 - 8%; 1905 - 9%.

County,-

In the county, the power to levy taxes is vested in the

1

Table showing the amount of State tax charged per year and the total State receipts for the corresponding period.

Year.	State Tax.	Total State Receipts.
1870	\$3,188,389.16	
1871	4,525,964.59	\$10,748,342.25
1872	3,947,014.73	
1873	5,023,609.50	11,051,810.81
1874	3,440,477.46	
1875	3,966,596.37	9,262,169.99
1876	3,610,997.88	
1877	4,185,661.07	9,021,769.50
1878	3,614,855.58	
1879	2,712,635.07	8,475,149.09
1880	3,202,289.13	
1881	4,067,060.09	10,049,206.97
1882	3,098,013.91	
1883	2,748,111.42	9,085,445.95
1884	2,965,449.60	
1885	3,485,083.72	9,592,342.20
1886	2,889,479.93	
1887	4,318,959.19	10,759,533.93
1888	3,526,608.19	
1889	3,075,600.55	10,421,335.39
1890	2,974,240.44	
1891	2,768,028.67	10,586,743.28
1892	2,626,057.59	
1893	2,673,669.50	9,437,988.12
1894	2,615,747.33	
1895	4,375,551.40	11,518,593.09
1896	4,542,062.09	
1897	5,316,764.08	14,294,684.04
1898	4,411,601.55	
1899	4,059,769.55	14,482,548.25
1900	4,102,180.96	
1901	5,209,765.20	16,382,020.34
1902	4,314,746.37	
1903	5,852,493.41	16,491,486.11
1904	6,157,490.16	
1905	5,568,310.23	19,763,176.57

1. This table is compiled from the reports of the State Auditor.

County Board of Commissioners. In counties not under township organization, this board consists of three members elected by the county and in counties under township organization, with the exception of Cook County, it consists of the supervisors of the townships in the county. In Cook County, the County Board consists of fifteen members, only ten of which may be elected from any one city, which in this case is Chicago.

The power of the County Board to levy taxes is limited by the constitution so that no levy exceeding 75 cents on the dollar can be made except to pay interest on indebtedness existing at the time when the constitution was adopted, or when authorized by a vote of the people of the county. When appropriating for several purposes the law provides that the amount appropriated for each purpose must be entered separately. The purpose of this provision is to prevent any illegal appropriation by merging the several amounts.

Township,-

With reference to the power of levying taxes, townships (ofttimes called towns) may be divided into two classes, namely, townships included in cities and townships not so included.

In townships not included within the boundaries of any city, the power of levying taxes was vested by the township organization act of 1874, in the electors of the township. The electors consist of all the qualified voters in the township, and the taxes are voted by them at the annual town meeting or at special meetings when the subject of taxation^{has} been postponed to such a meeting at

the annual meeting.

In townships included within the boundaries of cities, the law of 1874, vested the power of levying taxes for defraying town expenses not in the electors but in the County Board. In 1877¹ it was provided that where several towns were included in a city containing over 3,000 inhabitants, the same could be organized into one town, in which the city council would be vested with the power formerly held by the electors. The same act also empowered the city organized in this manner to unite the offices of city and town clerk in the same person. Later in 1883² the right was also given to unite the offices of city treasurer and town collector in the same person.

³
In 1899 an act was passed which to the writer's mind appears to duplicate in part the act of 1877. By this act, cities in counties under township organization which included five or more congressional townships were given the right to organize the territory into one township. To the writer, namely, it appears that such cities would have had this right by the provisions of the act of 1877. The last and most important legislation with respect to the relation between the towns within the city and the city itself was enacted in 1901.⁴ It was then provided that all the powers vested in the townships, including the powers vested in the town meeting and the board of town auditors, shall be vested in the city council,

1. Laws of Ill. - 1877 - p. 212.
2. Laws of Ill. - 1883 - p. 171.
3. Laws of Ill. - 1899 - p. 91.
4. Laws of Ill. - 1901 - p. 314.

if such a township lies within a city of more than 50,000 inhabitants, and if the question has been favorably voted upon at an election.

In the taxation of property for the purpose of establishing and maintaining parks in towns included within the boundaries of a city, the act of 1874 did not give the County Board the power to levy the tax, but vested the power in the town authorities. By the corporate town authorities in this case is meant the town supervisor, the town clerk and the town assessor. It was left to the park commission to estimate the amount to be raised by taxation but the right to authorize the levy was given to the corporate town authorities.

In 1873,¹ such corporate authorities in towns having a park commission were authorized to levy a tax of three mills on the dollar. In 1879,² this was reduced to two and one-half mills with the added limitation that the tax could not exceed \$100,000.³ In 1891, an additional tax of one and one half mills was granted together with the power to float bonds not to exceed \$1,000,000. In 1893, an additional mill tax was granted and in 1895⁴ two grants were made, one conferring the right to levy an additional two mill tax and the other authorizing a tax of one and one-half mills and a bond issue

1. Laws of Ill. - 1873. Act app. May 2.
2. Laws of Ill. - 1879 - p. 213.
3. Laws of Ill. - 1891 - app. June 12.
4. Laws of Ill. - 1895 - June 17 and 21.

of \$600,000. In 1901, two acts were also passed, one authorizing a bond issue of \$500,000¹ and the other authorizing a bond issue of \$1,000,000² and an additional tax of one mill. The last grant was³ held to be unconstitutional by the State Supreme Court on the ground that it was special legislation.

For all townships whether included within the city or not, the act of 1874 provided that taxes might be levied for the following purposes:

1. The construction or repairing of roads, bridges or causeways within the town.
2. The prosecution or defense of suits by or against the town.
3. The building or repairing of bridges or causeways in other towns or counties provided various conditions are fulfilled.
4. Any other purpose required by law.

Since 1874 the only other purpose specified, for which taxes may be levied, was provided in 1907⁴ when the town authorities were authorized to levy a tax of one mill and to issue bonds for park purposes.

By the same act it was provided that wherever a park commission exists in a township, invested by law with control over a park lying wholly or partly in the county, the power of levying the tax shall be transferred from the town authorities to the park commission.

1. Laws of Ill. - 1901 - p. 251.
2. Laws of Ill. - 1901 - p. 253.
3. Sup. Court Rep. - 74 - N. E. - 387.
4. Laws of Ill. - 1907 - p. 437.

Cities and villages,-

In the study of the tax levy in cities and villages it is necessary to keep in mind that prior to 1870, cities were not incorporated under any general city or village incorporation act but each city secured its own charter. These charters, consequently were not at all uniform and the powers granted to the various cities differed very greatly. We find consequently little uniformity in the power granted the cities and villages to levy taxes, especially as regards the limitation to their taxing power. In some charters, no mention was made of any limitation, whatever, and in charters where such limitations were made, there was apparently no attempt made at uniformity.

Under the new constitution of 1870¹ which prohibited the granting of charters except under a general act, the former method was, of course, wholly done away with and in 1872², the first general city and village incorporation act was passed. This act, however, only established uniformity in those cities or villages that incorporated under the same, and since it was not mandatory upon any city to abandon its special charter and incorporate under the general act, the outcome was that for a time many cities continued under their special charters, and that some have continued to do so up to the present time.

The reports of the Secretary of State show the number of cities and villages that incorporated under the general act from

1. Constitution of Ill. - 1870. Art. 11, Sec. 1.

2. Laws of Ill. - 1872 - p. 218.

1872 - 1881 but no mention of this is made in the reports after this period. The following table shows the number reported:

1872 - 3 - 4	cities - 55	villages - 111
1875 - 6	" 11	" 61
1877 - 8	" 15	" 30
1879 - 80	" 6	" 21

In the study of the taxing powers of the city, since 1872 therefore, we will not consider the powers granted by special charters prior to 1870, since this would involve a review of each charter granted but we will confine ourselves to the study of the powers granted under the general incorporation act and to such legislation and legal decisions as apply to all the cities having special charters.

The incorporation act of 1872, vested the power of levying taxes in the city council or village board of trustees as the case might be, and did not in any way limit the amount of taxes to be levied. The only limitation introduced was the debt limit provided by the constitution which prohibits the incurring of indebtedness in excess of 5% of the aggregate assessed value of the property in the city or village.

Tho the city council and board of trustees were thus given the power to levy taxes, the legislature still retained both the power to designate the purposes, aside from those purely corporate, for which taxes should be levied and the rate at which they could be levied. Thus again and again we find laws granting to cities the right to levy a tax for certain purposes, such as, water supply, waterworks, lighting, sewerage, parks, libraries, etc. and speci-

fying the maximum rate of taxation.

Until 1879, the general incorporation act did not provide a limitation to the rate of taxation, so that during that time, it is not a matter of much interest whether special taxing powers were given to the cities. But in 1879,¹ it was provided that the tax rate in cities and villages incorporated under the general act could not exceed 2%, exclusive of the amount levied for the payment of bonded indebtedness or the interest thereon. Since the passage of this act, however, the state legislature in granting cities the power to levy taxes for certain purposes has provided that the rate allowed therefore be granted in excess of the 2% limit. Thus in 1889,² cities were given the power to levy the three mill sewerage fund tax, which had hitherto been included in the 2% tax limit, in addition to the 2% allowed by law. This act, however, only remained in force two years.

³
In 1893, a park and boulevard tax of three mills on each \$100 valuation was granted to cities having a population of 25,000 to 100,000 people: this tax to be in addition to the 2%.⁴ In 1895, this act was so amended as to reduce the lower limit of population from 25,000 to 5,000 and to make the tax three mills on the dollar instead of three mills per \$100. By an act of 1872, cities of a certain population had been granted the power to levy taxes for library purposes, which tax was included by the act of 1879 within the

1. Laws of Ill. - 1879 - p. 67.

2. Laws of Ill. - 1889 - p. 87.

3. Laws of Ill. - 1893 - p. 77.

4. Laws of Ill. - 1895 - p. 282.

2% limit. In 1887,¹ this act was so amended as to grant to cities having a population of less than 100,000 inhabitants, a tax levy of two mills and cities having more than 100,000, a tax levy of one-half mill. By this act the library tax in the cities having over 100,000 inhabitants was not to be included in the 2% limit. In 1889 this privilege was extended to all cities having more than 10,000 inhabitants: in 1897, it was extended to cities having over 3,000 and in 1901 to cities having over 2,000.

In addition to these grants which are general in their scope, two special grants have been made, one in 1897,² authorizing cities a tax of 1% above the 2% for the purpose of building and repairing levees, and the other in 1899,³ authorizing cities to levy a three mill tax for the purpose of repairing or restoring public buildings, injured or destroyed by a cyclone or tornado.

So far as the writer is able to ascertain the above mentioned instances are the only ones where any taxes have been allowed above the 2% limitation.

In 1899,⁴ and later in 1907,⁵ acts were passed granting the cities the power to levy additional taxes but since, it is not specifically stated that these additional rates should be allowed above

1. Laws of Ill. - 1887 - p. 218.

2. Laws of Ill. - 1897 - p. 136.

3. Laws of Ill. - 1899 - p. 103.

4. Laws of Ill. - 1899 - p. 100.

5. Laws of Ill. - 1907 - p. 195.

the 2% limitation, and since the question has not been brought into court, it is difficult to determine whether the rates granted in these acts are allowed in excess of the 2% or not. The probability is, however, that the rates were intended to be included within the 2% limitation.

Turning aside from the general incorporation act, there are several points of interest in legislation and legal decisions which have reference to cities and villages not incorporated under the general act.

The principal legislative enactment in this respect was the "City Tax Act" of 1873. As referred to before, the constitution of 1870, prohibited the granting of any special charters or the enactment of any special legislation, and to circumvent this, the legislature of 1873 passed the "City Tax Act" which had the characteristics of a general act and was to exist alongside of the act of 1872. This, however, would bring about the very lack of uniformity among cities which the constitution of 1870 had sought to eliminate and it was consequently declared void by the Illinois Supreme Court.¹

In 1875,² a similar general act was passed but this also had very little influence as it was repealed at the next session of the legislature.³

From 1872 to 1877, there was no attempt made by the legislature to regulate by a general law the power of levying taxes and

1. Supreme Court Reports. 83 - Ill. - 585.

2. Laws of Ill. - 1875 - p. 43.

3. Laws of Ill. - 1879 - p. 79.

the manner of assessment and collection for cities incorporated under special charters. In 1877, however, an act was passed which provided that all cities and villages organized under special charters should assess and collect their taxes in the manner provided for in Article 8 of the general incorporation act of 1872. Since, however, the 2% limitation was not introduced into the general incorporation act until 1879, this act only affected the manner of assessing and collecting taxes and did not regulate the limitation of the tax rate.

The first general act which affected the limitation of the tax rate was passed in 1881.¹ The act stipulated that all cities and villages which did not have the power by their special charters to levy and collect as high a rate of taxation as 1% of the aggregate taxable property within the city or village in addition to all taxes which such city might levy for school purposes and for interest on bonded indebtedness, should be given such power. In 1897,² all cities and villages under special charters were given the power to levy taxes at the same rate as cities incorporated under the general act. This was accomplished by re-enacting the act of 1877 referred to above, as the 2% limitation was now incorporated in Article 8 of the general act. It was undoubtedly the intention of the legislature in passing this act that it should apply to those special chartered cities and villages which enjoyed a greater rate than

1. Laws of Ill. - 1881 - p. 59.

2. Laws of Ill. - 1897 - p. 93.

2% as well as those which enjoyed a lesser rate, thereby making the rate uniform in all cities and villages in the state, but this, the act failed to accomplish. The Supreme Court,¹ namely, held that the act in question intended to confer power but did not intend to take away powers granted by special charters.

1. Supreme Court Reports. 186 - 111. - 457.

1
Table showing the amount of taxes levied for state, county, and city purposes, also the total amount of taxes levied in the State.

Year.	State.	County.	City.	Total.
1872	\$3,947,014	\$5,168,667	\$1,400,656	\$19,821,620
1873	5,023,609	5,533,091	1,583,942	21,963,821
1874	3,440,477	6,015,388	1,450,086	21,545,413
1875	3,966,596	6,438,787	6,995,662	29,007,461
1876	3,610,997	5,829,492	6,964,125	28,689,477
1877	4,185,661	5,890,955	6,998,291	30,245,342
1878	3,614,855	5,557,445	7,576,882	29,197,358
1879	2,712,635	4,730,094	6,182,419	24,259,281
1880	3,202,289	4,649,734	5,615,292	24,533,326
1881	4,067,060	4,134,805	5,967,522	24,994,856
1882	3,098,013	4,661,480	6,788,455	25,781,404
1883	2,748,111	5,152,587	6,912,659	28,063,040
1884	2,965,449	5,384,160	7,512,264	27,983,979
1885	3,485,083	5,024,406	7,383,462	29,445,931
1886	2,889,479	4,875,888	7,628,470	28,962,179
1887	4,318,959	4,847,963	8,096,316	30,978,341
1888	3,526,608	4,807,655	8,238,602	30,470,983
1889	3,075,600	5,043,138	8,902,086	30,820,943
1890	2,974,240	4,737,649	12,325,827	33,991,708
1891	2,768,028	5,108,454	12,943,851	36,040,754
1892	2,626,057	5,320,589	9,252,773	39,046,630
1893	2,673,669	5,540,681	9,069,499	40,071,159
1894	2,615,747	5,595,129	9,342,373	40,741,503
1895	4,375,551	5,745,687	9,695,979	47,546,879
1896	4,542,062	5,644,600	9,577,051	45,834,948
1897	5,316,764	5,673,006	9,847,804	47,137,090
1898	4,411,601	5,661,989	9,726,412	45,913,271
1899	4,059,769	6,414,367	9,682,520	49,289,137
1900	4,102,180	6,179,195	10,972,543	50,240,931
1901	5,209,765	6,939,515	11,258,556	53,012,935
1902	4,314,746	6,620,791	10,908,034	50,887,083
1903	5,852,493	7,019,554	11,309,709	56,675,087
1904	6,157,490	6,964,072	11,056,022	59,452,426
1905	5,568,310	8,177,625	12,404,379	62,701,081

1. The figures in this table are taken from the State auditor's reports.

The Rate of Taxation.

Under the revenue law of 1872¹ it was provided that the governor, auditor, and treasurer should annually ascertain the rate percent per \$100 required to produce the amount of taxes levied by the general assembly. The year following, the treasurer was dropped from this committee and continued to be so until 1903 when the treasurer was again included. When the rate has been computed by these officials, the auditor is required to certify the same to the county clerks of the respective counties who in turn extend the rate against the taxable property of the county.

The following are the rates percent on each \$100 valuation of property that have been certified by the auditor since 1870:²

1871 - 60¢	1878 - 33¢	1885 - 42¢	1892 - 31¢	1899 - 42¢
1872 - 75¢	1879 - 27¢	1886 - 35¢	1893 - 31¢	1900 - 50¢
³ 1873 - 29¢	1880 - 36¢	1887 - 53¢	1894 - 31¢	1901 - 50¢
1874 - 24¢	1881 - 48¢	1888 - 44¢	1895 - 52¢	1902 - 40¢
1875 - 20¢	1882 - 36¢	1889 - 38¢	1896 - 51¢	1903 - 52¢
1876 - 28¢	1883 - 32¢	1890 - 36¢	1897 - 66¢	1904 - 55¢
1877 - 36¢	1884 - 35¢	1891 - 33¢	1898 - 56¢	

1. Laws of Ill. - 1872 - p. 30.

2. Obtained from Auditor's reports.

3. The real tax rate for this year was 36¢ but 7¢ of this rate was to be paid over to counties for the purpose of purchasing R. R. bonds. The Ill. Sup. Court declared the act under which this was to be done illegal. As a consequence part of the tax was never collected.

As to the limitation of the state tax rate, the constitution does not provide for any altho there was some discussion at the constitutional convention as to whether it would not be advisable to have such a provision. The method adopted, however, of making it the duty of the governor, auditor and treasurer to compute the rate has served as a very effective check. For political reasons, it has, of course, been expedient for all the governors to keep the rate at the lowest figure possible, a condition which some maintain has sacrificed efficiency and true economy to low tax rates.¹

County, town and village,-

By the law of 1872,² which in this respect remains unchanged at present, the tax rates of the county, city, village, township and district were to be computed by the County Clerk and by him extended upon the collection books. The various taxing bodies are required to certify to the Clerk, before the second Tuesday of August, the respective amounts to be raised by taxation, and the Clerk then computes the rate percent which upon the valuation of all the taxable property within the boundaries of the respective taxing bodies, will produce an amount not less than the amount certified him.³ From 1872 to 1901, all the taxes were extended on the assessed valuation as equalized by the State Board of Equalization. Since 1901, however, only the state taxes have been extended on this valuation, the remaining taxes being extended on the valuation as

1. The Development of the Natural Resources of the State. -

E. Davenport.- p. 24.

2. Laws of Ill. - 1872 - p. 30.

3. Laws of Ill. - 1872 - p. 32.

equalized by the County Board of Review. Should the percent thus derived exceed the rate percent allowed, the County Clerk is required to reduce the rate to the proper limit. Should a city be located in two counties, it is provided that the city council certify the sums to be raised to the County Clerk of the county in which the seat of the City government is located, and that this County Clerk must ascertain the rate percent and certify to the other County Clerks both the rate and the property to be assessed.

In 1898, a law was enacted which provided that, in counties of over 125,000 population, the aggregate of taxes accumulated from the various taxing authorities should not exceed 5% and provided for a process of scaling down excess levies. This act, however, was declared unconstitutional by the Supreme Court¹ in 1899 on the ground that it was special legislation.

²"In 1901 this fault was remedied by the passage of the Juul law,³ introduced by Senator Nels Juul. Under it the aggregate of all taxes against any property in any district, excepting only state taxes, schoolbuilding taxes⁴ or levies by order of court, cannot exceed 5% of the assessed valuation. As the assessed valuation was already fixed by law at the arbitrary figure of one fifth of the full value of the property, the Juul Law thus provided that the total tax to be levied against any property should not exceed 1% of

1. Supreme Court Reports. 133 - Ill. - 410.
2. The following is quoted from Prof. Merriam's Study of Mun. Revenue in the City of Chicago.
3. Laws of Ill. - 1901 - p. 273.
4. In counties having a population of 100,000 or over.

its real value. If the rates certified to the County Clerk for extension exceed that amount in any district or districts, he is required to reduce the total in the district having the largest aggregate to 5%, reducing each component rate in like proportion. That proportionate reduction is applied thereupon to all rates alike, and the resultant rate is extended on the collector's books. In 1903, the additional 1/4 of 1% tax which was given to the Sanitary district was placed outside the 5% limit of the Juul Law.

"The Juul Law was effective in preventing excessive taxation, but it seriously disappointed many of the hopes of the Chicago taxing bodies for an increased revenue from the operation of the Revenue law. As the various authorities saw their tax levies cut down in the county clerk's office, they raised their estimates the next year to provide for the loss; and each increase in the tax asked for meant a larger loss to all in the scaling down process. In 1905 the legislature passed an amendment for the relief of the two principal sufferers; it was provided that the city's 2% should not be reduced below 1.8% and the county's 0.75% below 0.65%. It was also provided that other taxes making up the aggregate should not in any case be reduced lower than they would have to be if this minimum for city and county were not fixed; that the city's and the county's gain, in other words should not be the others loss. The benefit which will accrue to the city and the county is apparent."

1

Table showing the highest and lowest average tax rate in the counties of the state from 1880-1907, also the average in the state.

Year.	County.	Highest Tax Rate.	County.	Lowest Tax Rate.	Average in the State.
1880	Pulaski	\$22.62	Boone	\$1.12	\$3.12
1881	"	10.49	"	1.37	3.12
1882	"	10.34	"	1.43	3.18
1883	"	6.33	"	1.73	3.43
1884	Johnson	7.36	"	1.75	3.46
1885	Gallatin	6.32	"	1.91	3.69
1886	Alexander	6.76	"	1.91	3.23
1887	Gallatin	6.58	"	2.01	3.41
1888	Mason	6.30	"	1.98	3.38
1889	"	6.91	Kendall	2.25	3.34
1890	"	7.02	Bond	1.93	3.40
1891	"	7.69	Calhoun	2.30	3.67
1892	"	8.03	Henderson	2.31	3.73
1893	"	7.98	Calhoun	2.18	3.74
1894	Cook	6.99	"	2.36	3.92
1895	"	9.01	"	2.64	4.15
1896	"	8.36	"	2.37	4.20
1897	"	9.04	Henderson	2.21	4.41
1898	"	8.96	Calhoun	2.59	4.45
1899	Alexander	6.78	Henderson	2.76	4.28
1900	Cook	8.45	"	3.00	4.83
1901	Alexander	7.12	Calhoun	3.06	4.39
1902	Adams	6.83	"	3.00	4.94
1903	Rock Island	6.81	"	3.09	5.23

1. The figures used in this table were taken from the Reports of the State Board of Equalization.

Assessment of Property.

The assessment is, without doubt, the most important phase of the general property tax, for if the assessment could be efficiently administered, the problem of under-valuation and consequent inequality of taxation would be largely eliminated. By assessment in a strict sense, is meant an official estimate of the sums which are to constitute the basis of an apportionment of a tax between the individual subjects of taxation, but assessmen, as ordinarily understood, consists in the two-fold process of listing the property to be taxed and of estimating the sums which are to be the guide in an apportionment of the tax.¹ In this study, "assessment" will be used in the latter sense.

Time,-

The revenue act of 1872 designated May and June as the time during which property was to be assessed, and specified that the property should be assessed with reference to the amount held on the first of May. These regulations governing the time for assessment continued in force until 1898 when the months, April and May, were substituted for May and June, the property to be assessed with reference to the amount held on the first of April in place of May.

Valuation,-

As regards the valuation of property, the revenue law of

1. Cooley on Taxation.- p. 153.

1872¹ specified that all real and personal property should be valued at its fair cash values and taxes levied thereon. This was so changed in 1898 that the valuation for assessment purposes was fixed² by law at one-fifth of the actual value. The person listing property was still required to list the same at its full value, but only one-fifth thereof was to constitute the assessed valuation.

A further consideration of this change will be made in a later chapter, when considering the general subject of the efficiency in the assessment. It is merely intended at this point to note the change so that it will be unnecessary to refer to the same when considering the taxation of the various kinds of property.

Assessment by the State Board of Equalization,-

In the assessment of property in Illinois, two methods have been employed since 1872, each method being employed to reach different classes of property. The principal method of the two is the assessment by the local assessors which prior to 1872 was the only

1. Laws of Ill. - 1872 - p. 2.

2. Laws of Ill. - 1898 - Extra session - p. 43.

method of assessment in use.¹ The other method is the assessment by the State Board of Equalization which was introduced in 1872 for the purpose of assessing the capital stock of corporations and certain forms of railroad property, both being classes of property not readily assessed by the local assessors.

As enacted in 1872,² the revenue law made it the duty of the State Board of Equalization to assess the capital stock of all companies and associations organized under the laws the state (except state banks)³ and specified that the capital stock should be so valued by the Board as to ascertain and determine respectively the fair cash value of such capital stock, including the franchise, over and above the assessed value of the tangible property of such companies and associations. The law did not outline the exact method

1. There seems to be one exception to this statement for by a law of 1849,^{*} railroad property was required to be listed by the proper railway officials with the Auditor of State, the rate to be the same as on similar property owned by individuals. The revenue thus secured was to be paid into the State Treasury and applied to the payment of the State debt.

It is not certain, however, that this law was ever enforced, but if it was it did not remain so longer than two years as another method of assessment was provided in 1851.[#]

2. Laws of Ill. - 1872 - p. 11.

3. Banks organized under the general banking laws of the state.

* Revised Ill. Statutes - 1864 - p. 947.

Laws of Ill. - 1851 - p. 54-55.

to be employed by the Board in ascertaining the capital stock, but authorized the Board to provide its own rules.

In accordance with this authorization, the Board drew up the following rules:¹ First, the market or fair cash value of the capital stock and the market or fair cash value of the debt (excluding from such debt, the indebtedness for current expenses) shall be added together, and the aggregate amount so ascertained shall be taken and held to be the fair cash value of the capital stock, including the franchise. Secondly, from the amount so ascertained, there shall be deducted the aggregate amount of the equalized or assessed valuation of all tangible property (such equalized or assessed valuation being taken in each case, as the same may be determined by the equalization and assessment of the State Board) and the amount remaining, if any, shall be taken and held to be the amount and fair cash value of the capital stock, including the franchise, which the Board is required by law to assess.

In 1901,² the Board of Equalization changed these rules very radically by deciding that the capital stock was henceforth to be valued as an entirety, due consideration being given to the following propositions:

1. To the character and duration of the franchise.
2. To the amount of the contribution if any demanded of and paid by the company or association under the provisions of any contract or ordinance to any municipality as compensation for use of its franchise privileges.

1. Report of the Board of Equalization.- 1873 - p. 21.
2. Report of Bd. of Eq. - 1900 - p. 16.

3. The highest and lowest quotations of the shares of stock during the year immediately preceding the assessment.

4. Any other fact or condition which will assist in arriving at a just and equitable fair cash value.

From the aggregate amount thus ascertained there was to be deducted the aggregate amount of the equalized or assessed valuation of all the tangible property respectively of such companies and associations, wherever the same might be located (such equalized or assessed valuation of its Illinois property being taken in each case, as the same might be determined by the equalization or assessment of property by the Board) and the amount remaining should be taken and held to be the amount and fair cash value of the capital stock, including the franchise, which this Board was required by law to assess, respectively, against companies now or hereafter created under the State.

These rules, however, were held by the Supreme Court¹ to be contrary to the spirit of the law providing for the taxation of capital stock by the State Board of Equalization. New rules were adopted by the Board in 1901,² which with a slight change were the same in substance as the rules of 1873. The ruling of the Supreme Court³ that the Board might equalize its own assessment so as to make it uniform with the valuation in the State was now incorporated into the rules of the Board.

1. Supreme Court Reports. 191 - Ill. - 529.

2. Supreme Court Reports. 87 - Ill. - 385.

3. Supreme Court Reports. 44 - Ill. - 229.

In 1872, all companies with the exception of state banks were assessed on their capital stock in this manner, but since then, a large number of companies have been exempted. The following are the exemptions that have been made: In 1879¹, the capital stock of companies and associations organized for purely manufacturing purposes, for the printing or publishing of newspapers, or for the improving and breeding of stock; in 1893, the capital stock of companies organized for the mining and sale of coal, and of banks organized under any special laws of the state; in 1895, the capital stock of Mutual Building, Loan, and Homestead Associations, and , finally in 1905, the capital stock of companies organized for mercantile purposes.

In the assessment of railroad property, the law of 1872² provided that such property as the law included under the terms "Railroad Track" and "Rolling Stock" should be assessed by the State Board in addition to its assessment of the capital stock. The only exception to this general provision , is the charter line of the Illinois Central Railroad which pays a certain percent of its annual gross income into the State treasury in lieu of any other payment

1. By an act of 1875* it was provided that in assessing these corporations and associations, the assessment should be so made that such companies should only be assessed as individuals under like circumstances would be assessed, and no more. It does not appear, however, that the Board of Equalization acted in accordance with this provision.

2. Laws of Ill. - 1872 - p. 13.

* Laws of Ill. - 1875 - p. 35.

for taxation purposes. No change has been made in the assessment of railroad property since 1872, therefore it will only be necessary to describe the method which was then provided.

For the purposes of taxation, the revenue act of 1872¹ classified the property of railroads in the following five groups:

Group (1).- The right of way, including structures of main, side, or second track and turnouts, and the station and improvements of the railroad company on such right of way, held to be real estate for purposes of taxation and denominated "Railroad Track".

Group (2).- Moveable property (locomotives and all manner of cars) belonging to the railroad company, held to be personal property for purposes of taxation and denominated "Rolling Stock".

Group (3).- Real estate, including the stations and other structures thereon, other than that denominated "Railroad Track".

Group (4).- Personal property other than that denominated "Rolling Stock". This includes tools and materials for repairs, office furniture and the like.

Group (5).- The capital stock.

The first, second, and fifth of these groups are assessed by the State Board of Equalization, and the third and fourth by the local assessors. The assessment by the local assessors will be considered under the head of "assessment by local assessors".

With reference to the grouping of property, some difficulty was experienced in determining the exact meaning of the term "Railroad Track", even as defined by the statutes. It was a mooted point whether shops, round houses, etc. located on land adjoining

1. Laws of Ill. - 1872 - p. 14.

the main track could properly be considered as "Railroad Track". The courts, however, have given the term a broad interpretation, holding in one case¹ that a strip of land 500 feet wide on which were located round-houses, shops, etc. is properly included in "Railroad Track", and in another² that the land held and in actual use by a railroad company for side tracks, switches, and turnouts must be regarded as a part of the right of way of a company, notwithstanding, it may have machine shops, depots, round-houses and other super-structures thereon, necessary for the successful use of the road.³ The courts have also held that a bridge over a navigable stream forming a boundary line between this state and another, owned and constructed by a railroad company and used as a part of its line should also be regarded as "Railroad Track" as defined by the Revenue law.

In the month of April,⁴ annually, (the month of May prior to 1898) every person, company or corporation, running, constructing or operating a railroad in the state, is required to return to the State Auditor sworn statements, showing (1) the property denominated "Railroad Track" giving the length of the main and side or second tracks and turnouts, and showing the proportions in each

1. 4 - Ill. App. - 468.

2. Sup. Court Rep. 98 - Ill. - 350.

3. Supreme Court Reports. 117 - Ill. - 26.

4. In 1873, the railroads were required to give a full description of their property denominated "Railroad Tracks", but since then these reports have only been made out when required by the State Auditor.

county and the total in the state; (2) the property denominated "Rolling Stock", giving the length of the main track in each county, the length in the state and the entire length of the road; (3) the number of ties in the track per mile, the weight of iron or steel per yard, used in the main and side tracks; what joints or chairs are used in the track, the ballasting of the road whether graveled or dirt: the number and quality of buildings or other superstructures on right of way; the length of time the iron in track has been used, and the length of time the road has been built; and, (4) the amount of capital stock authorized, and the number of shares into which such capital stock is divided; the amount of capital stock paid up; the market value or if no market value, then the actual value of the shares of stock; the total amount of all indebtedness except for current expenses for operating the road; and the total listed valuation of all its tangible property in the state.

In this connection the Supreme Court has held (1) that a railroad leased to a railroad company becomes the property of the lessee for purposes of taxation¹; (2) that Elevated Railroads organized under the general law for incorporation of railroad companies are railroads and not street railways for purposes of taxation and are therefore subject to taxation by the State Board of Equalization²; (3) that a Railroad is liable for taxes on Pullman cars used on its road as sleeping cars tho the cars are owned by

1. Supreme Court Reports. 86 - Ill. - 352.

2. Supreme Court Reports - 1902. 197 - Ill. - 212.

the Pullman Company:¹ (4) that the mere running of trains over the road of another railroad company under a mere easement or license does not make such company an occupant with any vested interest in the Road within the tax laws.²

The State Auditor upon receiving the statements from the railroads lays them before the State Board. The Board, however, is not in any way bound by the valuation placed upon the property by the railroad, but used these statements merely as it would use other information, in order to arrive at the true value of the property.³ For the purpose of ascertaining the true value, the Board is authorized to examine witnesses and the necessary papers; it cannot, however, in the opinion of the State's Attorney General enforce the attendance of a witness or the delivery of any papers.⁴

If a railroad company should neglect or fail to return the required statements to the auditor, it devolves upon the auditor to ascertain the necessary facts and lay these before the Board. The company so neglecting to return its statements, forfeits as a penalty, not less than \$1,000 nor more than \$10,000 for each offence to be recovered in any proper form of action.⁵

The value of the capital stock as assessed by the State Board is apportioned by the State auditor to the counties thru which

1. Supreme Court Reports. 62 - Ill. - 395.
2. Supreme Court Reports. 35 - Ill. - 460.
3. Supreme Court Reports. 122 - Ill. - 35.
4. Board of Eq. Report - 1874. p. 5.
5. Laws of Ill. - 1872 - p. 16.

the railroad runs in the proportion, the length of the main line in such county bears to the whole length of the road in the state. The amounts so apportioned are certified to the county clerks of the respective counties, who, in turn, employ the same principle when extending the taxes of the town, city, village or district against this form of railroad property.

The first year that this method of assessment was in operation, the capital stock was valued for purposes of taxation, at \$64,611,070, but the very next year this valuation was cut in half and three years later wholly omitted. From then until 1901, no capital stock was assessed, every committee on railroad assessment reporting that the assessment of "Railroad Track" and "Rolling Stock" left nothing to be assessed as capital stock. Since 1901, the Board has assessed the capital stock of a few companies, notably railway companies in the city of Chicago, but the assessed valuation has at no time exceeded \$3,215,978, the valuation for 1906.¹

In the apportionment of the assessed valuation of "Railroad Track" to the counties thru which the road runs, the value of the "Railroad Track", not including the value of the side or second track and all turnouts, and all station houses, depots, machine shops or other buildings belonging to the road, is apportioned in the same manner as the capital stock. The value of the property not so included, is apportioned to the counties where the same is located. The county clerks in extending taxes against the former proceed as in the case of capital stock, but extend the taxes against the

1. Note the tables at the close of the Chapter.

latter in the same manner as they extend the ordinary taxes. The apportionment of the value of the Rolling Stock and the extension of taxes thereon by the County Clerks is effected in the same manner as in the case of the capital stock.

The first assessment of "Railroad Track" and "Rolling Stock" by the State Board placed the valuation of this form of Railroad property at \$59,317,409, but by 1876, this valuation had been reduced to \$28,819,832. Since then, however, the valuation has increased each year with only a few exceptions, the valuation in 1907 being \$100,203,968.

In its first assessment of Railroad property, the State Board assessed the same at its full value which together with the fact that the Railroads reported an excess of debts for the purpose of diminishing their assessments, accounts for the relatively high valuation for this year, (1873), but the second year it authorized a reduction of 40% which it increased to 50% the following year and to 75% in 1890. Since 1898, the one-fifth rule has applied in the assessment of Railroad property as in all other assessments, but from 1902¹ to the present, the Board has deducted 30% from the valuation assessed by it before ascertaining the one-fifth valuation. This has been done in order to make the valuation of Railroads uniform with the valuation of other property in the State.

In addition to the returns, which the railroads are thus required to make to the State auditor, they are also required to return sworn statements to the County Clerks of the counties thru

1. Bd. of Eq. Report. - 1902 p. 60.

1
which the railroad passes, showing:

1). The property held for right of way and the length of the main and all side, second and turnout tracks in such county and in each city, town and village in the county thru or into which the road may run, and describing each tract of land, other than a city, town or village lot, thru which the road may run, in accordance with the United States surveys, giving the width and length of the strip of land held in each tract and the number of acres thereof. They are also required to list the value of this right of way and of the improvements and stations located thereon.

2). The property denominated "Rolling Stock", stating the number and kind of all locomotives and cars; the length of the main track on which the rolling stock is used in the state; the length of main track on which it is used elsewhere; the proportion of the listed value to be taxed in the state, and the proportion not so taxable.

3). The real estate owned by the railroad and not included under "Railroad Track", stating its location and full cash value.

4). The personal property other than "Rolling Stock", stating the location and the full cash value of the same.

The railroads are required to make this report in order to enable the respective county clerks to apportion the amounts assessed by the State Board, to the county and the townships, cities, villages and districts within the same, also to facilitate the assessment by the local assessors, which will be considered later.

The County Clerks are also required to report to the Auditor a detailed statement of the property denominated "Railroad Track" and "Rolling Stock", as reported to them by the Railroads. Should a Railroad fail to report, the Clerk must notify the State Auditor of the fact.

As the assessment by the local assessors is quite unimportant when compared with the assessment by the State Board, the same not exceeding \$3,000,000 for the greater portion of the time, it will be proper to consider in this connection some facts which relate to the whole subject of railroad taxation in Illinois.

Thus we find that the total assessed valuation of Railroad property in 1873 was \$133,496,522, which made an average assessment per mile of track (second, side and turnout included) of \$20,325. By 1878, the total assessed valuation had decreased to \$40,461,865 but since then it has steadily increased, the assessed valuation in 1907 being \$104,957,201. The average assessment per mile was also greatly reduced during the first few years and since then it has remained for the greater portion of the time between \$5,000 and \$6,000, being \$5,335 in 1907.*

When compared with all the states on the basis of the taxes paid per mile of main track, Illinois (with charter line of the Illinois Central included), ranked ninth in 1900 and eleventh in 1906; with the Illinois Central excluded, it takes a position slightly lower than that. When comparing the total amount of taxes received from railroads in the various states, Illinois (with the Illinois Central included) ranked second in 1900 and third in 1906. with the Illinois Central excluded, it ranked third in 1900 and

* Refer to the table at the end of the Chapter.

fifth in 1906.¹

Comparing the taxes paid per mile from 1900-1906 by the charter line of the Illinois Central Railroad, with the taxes paid by the other roads in the state, we find that the former paid in round numbers about four times more taxes per mile of main track. It must, however, be remembered in making this comparison that the Illinois Central Railroad received special aid from the state which the other roads did not enjoy, and that a part of the tax paid by it is really a rent on the land granted to it by the State.

1. Refer to the table at the end of the Chapter.

The following table shows the assessed valuation of railroad property assessed by the State Board of Equalization during the period 1873-1908.

"Railroad Track"

and

Year.	"Rolling Stock"	Capital Stock.
1873	\$59,317,409	\$64,611,070
1874	43,529,716	31,314,175
1875	32,163,644	22,649,222
1876	28,819,832	10,106,258
1877	37,141,180	
1878	36,410,516	
1879	37,649,670	
1880	44,601,815	
1881	51,377,932	
1882	56,758,984	
1883	59,162,102	
1884	60,267,186	
1885	60,987,317	
1886	62,972,101	
1887	66,517,478	
1888	68,620,719	
1889	71,352,453	
1890	72,974,396	
1891	74,626,553	
1892	77,108,390	
1893	79,531,738	
1894	79,276,824	
1895	79,329,385	
1896	78,996,324	
1897	78,582,786	
1898	76,554,845	
1899	75,912,042	
1900	77,878,672	
1901	86,285,340	3,103,562
1902	88,270,104	2,651,062
1903	90,669,907	2,348,683
1904	93,126,732	1,906,680
1905	93,634,247	1,885,381
1906	98,347,394	3,215,978
1907	100,203,968	2,539,940

1. The figures in this table are taken from the reports of the State Board of Equalization.

Table¹ showing the total annual assessed valuation of railroad property in Illinois since 1872, also the total number of miles of track in operation in each year and the assessment per mile.

Year.	Assessed Valuation.	No. of Miles of Track.	Assessment per Mile.
1873	\$133 496 522	6 568	\$20 325
1874	81 706 598	6 956	11 733
1875	60 486 343	7 398	8 176
1876	44 329 489	7 629	5 810
1877	41 637 243	7 899	5 271
1878	40 461 865	7 819	5 175
1879	41 002 561	7 937	5 166
1880	47 365 259	8 275	5 723
1881	53 560 480	8 663	6 182
1882	58 820 146	9 656	6 091
1883	61 304 805	9 909	6 186
1884	62 405 700	10 131	6 159
1885	63 052 736	10 324	6 107
1886	65 610 233	10 647	6 162
1887	68 901 404	11 256	6 121
1888	70 678 708	12 218	5 786
1889	73 349 094	12 754	5 751
1890	75 310 524	13 071	5 761
1891	77 103 347	13 518	5 703
1892	79 846 193	13 790	5 790
1893	82 270 091	14 233	5 780
1894	81 755 789	14 461	5 653
1895	81 565 298	14 822	5 503
1896	81 137 450	15 252	5 319
1897	80 947 008	15 533	5 211
1898	78 624 036	15 661	5 020
1899	79 072 674	15 889	4 976
1900	80 627 321	16 257	4 959
1901	85 996 053	16 670	5 159
1902	89 505 201	17 363	5 154
1903	91 955 133	17 881	5 142
1904	93 126 732	18 653	4 992
1905	97 728 276	18 212	5 366
1906	99 505 097	18 946	5 252
1907	104 957 201	19 673	5 335

1. This table is compiled from data gathered from reports of the State Board of Equalization.

Table showing the railroad taxes paid per mile of main
¹ track in the different states, from 1900 to 1907.
²

	1900.	1901.	1902.	1903.	1904.	1905.	1906.
1. Mass.	\$1411	\$1366	\$1401	\$1413	\$1426	\$1472	\$1683
2. Conn.	995	1006	1005	1025	1114	D.C. 1349	1459
3. R. I.	843	860	888	D. C. 1003	979	Conn 1259	1220
4. N. J.	722	728	770	R. I. 894	937	1049	1128
5. D. C.	717	577	N. Y. 605	N. J. 768	798	848	1047
6. N. Y.	561	552	D. C. 551	N. Y. 604	581	617	671
7. Ind.	402	<u>Ill. 420</u>	Ind. 477	Penn. 447	482	478	Penn 645
8. Penn.	380	397	426	Ind. 437	O. 468	Ind. 455	Md. 597
9. <u>Ill.</u>	<u>373</u>	Ind. 395	<u>Ill. 411</u>	O. 426	Ind. 458	<u>Ill. 441</u>	Mich 554
10. N. H.	314	330	O. 354	<u>Ill. 410</u>	<u>418</u>	Md. 430	O. 519
11. O.	303	323	N.H. 324	Ky. 379	Md. 384	Ky. 373	<u>Ill. 453</u>

1. In the statistics for Ill. the taxes for the Ill. Cent.
are included.

2. The data for this table were obtained from the reports of
the Interstate Commerce Commission - Statistics of Railways in the
U. S. - p. 100 et seq.

Assessment by local assessors,-

In the assessment of property, apart from the assessment by the State Board of Equalization, the main part of the administration devolves upon the township in counties under township organization, and upon the county, itself, when not so organized. Cook county is at present the one exception to this rule. Under the revenue law of 1872, property in Cook county was assessed thru the medium of the township, the same as in other counties under township organization, but the revenue law of 1898¹ provided a special method for counties having a population of 125,000 inhabitants or over, a provision which at present applies to Cook county alone. This law was contested in the courts on the ground that it was special legislation and consequently unconstitutional but the Supreme Court of Illinois held, on the contrary, that it applied uniformly to a class² and was, therefore, constitutional.

In counties under township organization, with the exception noted above, the assessors are elected by the townships. Previous to 1894, every township elected only one assessor annually. Each assessor served for a stated salary determined by the town board of auditors and had the right and power to appoint deputy³ assessors when necessary. From 1894 to 1898, however, the assessment in townships having a population of less than 40,000 inhabitants and not more than 100,000, was made by a board of assessors

1. Laws of Ill. - 1898 -Extra session. p. 37.
2. Sup. Court Rep. 176 - Ill.-576.
3. Laws of Ill. - 1893 - p. 73.

consisting of three members, each member serving for a period of three years. The election of the members was so arranged that one term expired each year.

Since 1898, the county treasurer in counties having a population of less than 125,000 inhabitants has also served as ex officio supervisor of assessments in the county.¹ It is his duty to keep on record the assessment lists of the county for at least two years, to assemble for consultation before the first of April each year, all the assessors and deputy assessors in the county and to give them such instructions as shall tend to make the assessment uniform in the county. All assessors are required to comply with the instructions thus given by the supervisor and are liable to a fine for neglecting to do so. In the assessment of property, the supervisor has the same authority as the township assessors to assess and make changes or alterations in the assessment. The salary of the supervisor is regulated by the statutes and since 1898, the salary of the assessors and their deputies has also been regulated by the statutes.

For counties not under township organization, the revenue law of 1872² provided that the county board should annually appoint some person to serve as assessor until the law should provide for the election of the assessor. No law to this effect was passed until 1898. It was then provided that the County Treasurer should serve as ex officio County Assessor. He was authorized, with the

1. Laws of Ill. - 1898 - Extra session. - p. 36.

2. Laws of Ill. - 1872 - p.20.

advice and consent of the County Board to divide his county into convenient assessment districts and appoint a deputy assessor for each district.¹

In Cook county, subsequent to 1898,² the assessment has been made by a board of assessors consisting of five persons, not more than four of whom may be residents of any one city. The term of office of each member is six years and the election is so arranged that one or two members, as the case may be, are elected every two years. For the purpose of making the assessment, the board is authorized to appoint as many deputy assessors as may be necessary. For those townships that do not lie wholly within any one city, the law provides that a special deputy assessor shall be elected by the township to make the assessment. The question arose in this connection, whether these assessors were subject to the board of assessors for the county, and the Supreme Court of Illinois³ held that they were, stating it as the opinion of the court that they held a position similar to that of the deputies appointed by the board.

The change in the method of assessment in Cook county, whereby the power was withdrawn from the towns and vested in the county was brought about by the inefficiency of the former method. "In the town machinery, centered the sources of the weakness and abuses prevalent in the administration of the finances of the city

1. Laws of Ill. - Extra session. - 1898 - p. 36.

2. Laws of Ill. - Extra session. - 1898 - p. 37.

3. Sup. Court Rep. - 187 - Ill. - 9.

of Chicago. The assessors were either powerless to return correct valuation lists or otherwise willing tools of corrupt influences.¹" Such, at least, was the opinion of the time², and it was urged that the abolishment of the township method would greatly increase the valuation and eliminate corrupt practices.

Under the law of 1872,³ the assessor was not required to take any other oath, upon entering his office, than was required of all officers of the state by the constitution of 1870. In 1898, however, a special oath was prescribed for all assessors, deputy assessors and supervisors of assessment as follows:⁴

I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Illinois, and that I will faithfully discharge all the duties of the office of assessor, deputy assessor, or supervisor of assessment (as the case may be), to the best of my ability; that I will without fear or favor appraise all the property in said county at its fair cash value, said value to be ascertained at what the property would bring at a voluntary sale in the due course of business and trade: and that I will assess said property when so appraised at one-fifth of its said cash value; that I will cause every person, company or corporation assessed, to sign his, her or its assessment schedule, and I will administer to each and every person signing said assessment schedule, the oath thereon and return said schedule so signed, and file the same with the County Clerk.

The assessor was likewise required by the same act to give a bond before entering upon his duties, in the sum of \$2,000 in counties having a population of 125,000 inhabitants or over, and \$500 in counties having less than that number. Should the assessor in any way knowingly neglect or refuse to perform any duty

1. Sparling's Mun. Hist. of Chicago
2. Chicago Tribune - Feb. 25, 1898.
3. Laws of Ill. - 1872 - p. 20.
4. Laws of Ill. - 1898 - Extra session - p. 39.

required of him by law, or consent to or connive at any evasion of the provisions for the assessment of property, he would upon conviction be subject to a fine of not less than \$100 nor more than \$5,000 and imprisonment in the county jail not exceeding one year.¹ He would also be held liable on his bond to the party injured for all damages sustained. The provisions of the act of 1898 continue in force at the present time.

Special provisions for the assessment of property,-

In the assessment of property by the local assessors, general provisions have been made for the assessment of the greater portion of the real and personal property, but special provisions have been made for the assessment of certain forms of property of banks, railroads, insurance companies, Mutual Building, Loan and Homestead Associations, and pawnbrokers.*

National banks,-²

Since 1872, national banks have been taxed on their shares of capital stock as well as on their real estate and their tangible personalty. The statutes of 1872 provide, in accordance with a Federal enactment,³ that the taxation of the shares of capital stock of national banks shall not be at a greater rate than is assessed upon any other moneyed capital in the hands of individuals of this state in the county, town, village, city or district where the bank is located.⁴ With reference to this, the United States Supreme Court

1. Laws of Ill. - 1898 - Extra session - p. 39.

2. Laws of Ill. - 1872 - p. 12.

3. Revised Statutes of U. S. - Sect. 5219.

4. Sup. Court Rep. 101 - U. S. - 143.

* Insurance companies are not included in this study.

has held that any system of assessment of taxes which exacts from the share of stock of a national banking association, a larger sum in proportion to the actual value of those shares than it does from other moneyed capital, valued in like manner, taxes the shares at a higher rate, notwithstanding that the percentage of the tax on the valuation is the same as that applied to other moneyed capital.

As to the situs of the shares of capital for purposes of taxation, the statutes prescribe that they must be assessed where the bank is located. It is the duty of the proper bank official to keep on record at all times, a full and correct list of the names and residences of the stock-holders of the bank, and of the number of shares held by each. At the proper time for making the assessment, the local assessor ascertains and reports this list of stock-holders together with the number of shares held by each, to the county clerk who extends taxes against them the same as against other property. Previous to 1903, there was no special method provided by the statutes for determining the value of the shares of stock for purposes of taxation, but an act of this year¹ states that the value for such purposes shall be ascertained by deducting from the value of all the shares of stock the fair cash value of the real estate owned by the bank and situated in the county in which the bank is located.

State banks,-

State banks have been taxed on their shares of capital stock in the same manner and under the same regulations as national

1. Laws of Ill. - 1903 - p. 295.

banks, since the passage of the revenue act in 1872¹. From 1872 to 1901, the state banks were also taxed on their moneys, credits, bonds, and stocks. For the assessment of this property, every bank had to furnish the assessor with a sworn statement showing:

- 1). The amount of money on hand or in transit.
- 2). The amount of funds in the hands of other banks, bankers, brokers, or others, subject to draft.
- 3). The amount of stock or other cash items, the amount thereof not being included in either of the preceding items.
- 4). The amount of bills receivable, discounted or purchased, and other credits, due or to become due, including accounts receivable; the interest accrued but not due, and the interest due but not paid.
- 5). The amount of bonds and stocks of other companies or corporations, held as an investment or any way representing investments.
- 6). All other property appertaining to said business other than real estate (which is listed and assessed as other real estate).
- 7). The amount of all deposits made with them by other parties.
- 8). The amount of all accounts payable other than current deposit accounts.
- 9). The amount of bonds or other securities exempt by law from taxation, specifying the amount and kind of each, the same being included in the fifth item.

Of these items, the first, second, and third were listed

1. Laws of Ill. - 1872 - p. 9.

as moneys; the sixth as personal property; the fourth, less the seventh and eighth, as credits, and the fifth, less the ninth as bonds and stocks. After 1901,¹ the state banks have not been required to furnish such lists, but have been taxed, in addition to the tax on their shares of capital stock, on their real estate and personalty only, in the same manner as individuals are taxed.

Private banking institutions, -

The revenue act of 1872² provided for the assessment of the capital stock of private banking institutions by the State Board of Equalization, and the assessment of their moneys, credits, stock, bonds, and real estate in the same manner as state banks. The assessment by the State Board was discontinued in 1893, but the latter method of assessment is still employed. The sworn statements which must be returned to the assessor remain unchanged, but the method of ascertaining the amount of moneys, credits, etc. from these statements was materially changed in 1903.³ Since then, the first item has been listed as moneys; the sixth, as personalty; the second, third and fourth less the seventh and eighth, as credits, and the fifth less the ninth, as stocks and bonds.

Mutual Building, Loan and Homestead Associations, -

Under the revenue law of 1872, the Mutual Building, Loan and Homestead Associations were assessed on their capital stock by the State Board of Equalization and on their personalty and real

1. Laws of Ill. - 1901 - p. 266.

2. Laws of Ill. - 1872 - p. 9.

3. Laws of Ill. - 1903 - p. 294.

estate by the local assessors. By an amendment of 1895,¹ the associations were exempted from taxation on their capital stock by the State Board. In place of this, the stock-holders of such associations, whether organized under the state laws or not, were required to list for taxation with the local assessor where such stock-holders reside, the number of shares of stock of such associations owned by them respectively and their value on the first day of May (April since 1898). The same act also provided that in determining the value of the shares of stock for purposes of taxation, the value of the real estate owned by the association should first be deducted from the assets of the association. The real estate, so deducted, is assessed where the association is located. Such shares of stock as are held by stock-holders residing without the state are also assessed by the local assessor where the association is located. In 1887,² an act was passed which exempted the capital stock of these associations, and notes held by them from taxation. In 1891,³ these provisions were reincorporated in the law by another amendment. Neither of these acts, however, were valid, as decided by the Supreme Court in 1894.⁴ Another amendment to this act, made in 1901, provided that no stock of such association while loaned upon by and pledged as security to the association issuing it, to an amount equal to the par value of such stock, should be subject to taxation,

1. Laws of Ill. - 1895 - p. 103.
2. Laws of Ill. - 1887 - p. 131.
3. Laws of Ill. - 1891 - p. 89.
4. Sup. Court Rep. - 153 - Ill. - 609.

but this amendment was declared unconstitutional by the State Supreme Court.

Railroad assessments by local assessors,-

Since the enactment of the revenue law in 1872, railroads have been assessed by local assessors on such real estate as is not included in "Railroad Track" and on certain forms of personalty such as tools, materials for repairs, office furniture and the like. Each year, as was stated in a previous chapter, the railroads must report to the county clerk the amount and value of such property held by them in the county. The county clerk having received these statements is required to forward a copy of them to the assessor in whose district the property is located, and the assessor then assesses the property in the same manner as other personalty or real estate.

The property assessed in this manner, however, has never amounted to a very large sum. In 1873, the valuation reached the relatively large amount of \$9,568,043, but in the next few years this valuation was greatly reduced and has remained for the greater portion of time below \$3,000,000.

General provisions for the assessment of personal property,-

The statutes of Illinois, since 1872, have not given any specific definition of either real or personal property. As regards personal property, the schedule, given the person listing the property, enumerates the greater portion of the taxable property, and in addition, the statutes specifically state that certain kinds of property shall be held to be personalty and listed as such.

The items of property enumerated in the schedule are as

1
Table showing the equalized assessed valuation of railroad property assessed by local assessors from 1872 to 1908.

Year.	Assessed Value.	Year.	Assessed Value.
1873	\$9,568,043	1891	\$2,476,794
1874	7,879,881	1892	2,737,803
1875	5,673,477	1893	2,738,353
1876	5,403,399	1894	2,524,625
1877	4,496,063	1895	2,245,913
1878	4,051,349	1896	2,141,126
1879	3,352,891	1897	2,364,722
1880	2,763,444	1898	2,069,191
1881	2,182,548	1899	3,060,632
1882	2,061,162	1900	2,746,649
1883	2,142,703	1901	2,817,928
1884	2,138,514	1902	3,886,159
1885	2,065,419	1903	3,633,914
1886	2,638,132	1904	4,178,771
1887	2,383,926	1905	4,094,029
1888	2,057,989	1906	4,373,681
1889	1,991,641	1907	4,753,233
1890	2,336,128		

1. The data for this table were obtained from the Reports of the State Board of Equalization.

¹
follows:

Horses; cattle; mules and asses; sheep; hogs; steam engines and boilers; fire or burglar proof safes; billiard, pigeon, bagatell, or other similar tables; carriages and wagons of all kinds; watches and clocks; sewing and knitting machines; pianos; melodeons and organs; franchises; annuities and royalties; patent rights; steamboats, sailing vessels, wharf boats, barges or other water craft; merchandise; material and manufactured articles; manufacturer's tools, implements and machinery; agricultural tools, implements and machinery; gold and silver plate and plated ware; diamonds and jewelry; moneys of bank, banker, broker or stock jobber; bonds and stocks; shares of capital stock of companies and associations not incorporated by the laws of the state; pawnbroker's property; property of companies and corporations other than herein before enumerated; bridge property; property of saloons and eating houses; household or office furniture and property; investments in real estate and improvements thereon; grain; and all other personal property required to be listed; shares of stock of state and national banks.

The forms of property which the statutes specifically state to be personal property are the following: ² The sum paid by the purchaser on real estate, exempt in the hands of the holder of the fee, and contracted to be sold, until the fee is conveyed; the stock of nurseries, growing or otherwise, in the hands of nursery men; gas pipes and mains, laid in roads, streets, or alleys; the track, road,

1. Laws of Ill. - 1872 - p. 7.

2. Laws of Ill. - 1872 - p. 4 et seq.

or bridge of street railroad, plankroad, gravel road, turnpike or bridge companies; and money secured by a deed for real estate held for the payment of such money.

In listing personal property, however, every person listing the same for himself or for any other person, company or corporation (with the exception of banking institutions) is allowed to deduct from the gross amount of credits, the amount of all bona fide debts owing by such person, company or corporation for a consideration received.¹ The debt may not be deducted from any other item of taxation than credits. Furthermore it is provided² that no person, company or corporation shall be entitled to any deduction from the amount of any bonds, stocks or money loaned, or on account of any bond, note or obligation of any kind given to an insurance company on account of premiums or policies; nor on account of any unpaid subscription to any religious, literary or charitable institution or society; nor on account of any subscription to or installment payable on the capital stock of any company whether incorporated or unincorporated. All the deductions when made must be verified by the oath of the person claiming the same, and for making any fraudulent statement, the person is liable to a fine of not less than \$100 nor more than \$1,000.

Manner of listing personal property,-

According to the act of 1872,³ the assessor was required

1. Laws of Ill. - 1872 - p. 8.
2. Laws of Ill. - 1872 - p. 9.
3. Laws of Ill. - 1872 - p. 21.

to call at the office, place of doing business, or residence of each person required to list property and such persons were then to list their personal property according to the schedule provided by the assessor. The schedule so made out was then to be signed by the person listing, and sworn to if the assessor so required. In case the person called upon was sick or absent when the assessor called, the assessor was to leave notice when and where the schedule, properly made out, should be returned.

When, from any cause whatever, the assessor failed to obtain a statement of the personal property, it became the duty of the assessor to ascertain the amount to the best of his ability. If the assessor was of the opinion that the person listing property had not ^a made a full and fair schedule, he was authorized to examine such person under oath. The assessor also had the right to examine any person under oath whom he might suppose to have knowledge of the amount of personal property of any person. For the same purpose he was also empowered to take any proper form of action to compel the attendance of a witness. Any person or corporation giving a false or fraudulent statement or refusing to deliver a proper schedule would thereby be liable to a fine of not less than \$10 nor more than \$2,000.

By an amendment of 1879,¹ persons were required to list their personal property under oath, and if any person should refuse to make such a schedule under oath, the assessor was authorized to list the property according to his best judgment and add an amount

1. Laws of Ill. - 1879 - p. 252.

to this valuation equal to 50% of the same. Any person so refusing, or neglecting to make such a schedule was to be deemed guilty of misdemeanor, and on conviction,^{be} subject to a fine not exceeding \$200. The law of 1898, did not change the manner of listing personal property to any great extent. It requires the assessor to call upon the person listing the property as before, tho it does not specify what the assessor is required to do in case the person is absent, sick, etc. It further requires that the assessor deliver to the person a schedule, provided by the auditor, which the person listing, having properly filled out, subscribed and sworn to must deliver to the assessor either in person or by mail.

¹
For the purpose of eliminating fraud, it provides another penalty to the already long list. It stipulates, namely, that any person who with the intent to defeat or evade the law in relation to the assessment of property, delivers to the assessor a false or fraudulent list, return or schedule, of property not exempt by law from taxation, shall be punished upon conviction by a fine not exceeding \$5,000 or by imprisonment in the county jail not exceeding one year. It also provides² that any assessor who should either refuse, neglect or evade his duty as assessor should be liable to a fine of not less than \$100 nor more than \$5,000.

Personal property - by whom listed,-

³
Personal property, owned by a person of full age and

1. Laws of Ill. - 1898 - Extra session - p. 51.

2. " " " " " " 50.

3. " " " - 1872 - p. 3.

sound mind is listed by the person owning it unless the property is in the hands of an agent in which case it is listed by the agent.¹ The property of a minor is listed by the guardian; the property of an idiot by his conservator²; the property of a wife by her husband; the property held in trust, by the trustee; the estate of a deceased by the executor or administrator; property in the hands of receivers by the receivers; the property of a body politic or corporate by the president, or proper agent or official thereof; and property of a firm or company by a partner or agent thereof.

Where listed,-

The act of 1872 determined where personal property should be listed for assessment and the only change made since in these regulations was effected in 1905,³ and had reference to the personal property of life insurance companies.

As a general rule, personal property is required to be listed and assessed in the county, town and district where the owner resides. The special provisions are as follows:⁴ The capital stock and franchise of corporations and persons, except those otherwise provided for, are listed and assessed in the county, town and district where the principal office or place of business is located in the state. If there be no such principal office or place of business then at the place where such corporation or person trans-

1. For several further conditions see p. 4, Laws of Ill. - 1872.
2. If he have no conservator, then by the person having charge of such property.
3. Laws of Ill. - 1905 - p. 356.
4. Laws of Ill. - 1872 - p. 5.

acts business. Farm property when the owner does not reside on the farm is listed and assessed where the farm is located. Property of manufacturers and others in the hands of agents is listed and assessed at the place where the business of such agent is carried on. Personal property in transitu is listed and assessed where the owner resides, provided that if it is intended for a business, it shall be listed and assessed where such business is required to be listed and assessed. Personal property of stage, express, and transportation companies is listed and assessed where the same is usually located. Gas pipes, mains, and electric wires held to be personal property for purposes of taxation, are listed and assessed where the same are located. The track, road or bridge of street railroad, plank road, gravel road, turnpike or bridge company is listed and assessed where the same is located or laid.

The sum paid in the purchase of exempted lands before the fee is conveyed is taxable where the land is located. The personal property of banks, bankers, brokers, stockjobbers, insurance companies (excepting since 1905 life insurance companies incorporated in this state), hotels, livery stables, saloons, eating houses, merchants and manufacturers, ferries, mining companies and companies not specially provided for, is listed and assessed where the business is carried on, unless it is in the hands of an agent. And, lastly, all kinds of water craft are listed and assessed where the same may be enrolled, registered or licensed, or kept when not enrolled , registered or licensed.

Should a person remove from one taxing district to another during the time for assessment, he will be assessed in the district where he is first called upon by the assessor. In any question should arise as to the place for assessment between counties, the state auditor is required to adjust the same; if such a question arises within the county, this duty devolves upon the county board.

Real property - the assessment of,-

In the assessment of real property, substantially the same method has been employed since the enactment of the revenue law of 1872. The principal change in the assessment was introduced in 1898. By ¹ its provisions of the act of 1872, the work of assessing real property was divided between the county clerk and the local assessors. The county clerk was required to prepare, each year, a list of all lands and lots to be assessed in the county; to enter the name of the owner opposite to each tract or lot of land listed, as far as he would be able to ascertain the same; and to have these lists ready for the assessor at the proper time. The assessor was required to actually view and determine as near as practicable, the fair cash value of each tract or lot of land listed for taxation by the county clerk. Should the assessor discover property subject to taxation but not listed by the county clerk, he was also required to list this. Later it was specified that he should correct the returns to the county clerk when any property was thus discovered.

²
For valuing real property, the statutes provided (1)

1. Laws of Ill. - 1872 - p. 19.

2. Laws of Ill. - 1872 - p. 3.

that each tract or lot of real property should be valued at its fair cash value estimated at the price it would bring at a fair, voluntary sale, (2) that the taxable leasehold estates should be valued at such a price as they would bring at a fair, voluntary sale for cash, (3) that when a building or structure is located on the right of way of any canal, railroad or other company leased or granted for a term of years to another, the same shall be valued at such a price as such building or structure and lease would sell at a fair sale for cash, and (4) that in valuing any real property on which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property including the mine or quarry would sell at a fair, voluntary sale for cash. The statutes also prescribed that the real property when listed should be listed to the owners thereof by such owners, their agents, county clerks, assessors or the county board. It was provided, however, that no assessment of real property would be illegal by reason of the same not being listed or assessed in the name of the owner or owners thereof.

With respect to certain kinds of real property, a few special provisions were made. They are the following:¹ (1) When real estate which is exempt from taxation, is leased to another whose property is not exempt, and the leasing of which does not make the real estate taxable, the leasehold estate and the appurtenances shall be listed as the property of the lessee thereof, or its assignee, as real estate: (2) Government lands entered or located on or prior to the first of May shall be taxable for that year and annually thereafter; (3) School lands and lots shall be under the

same regulations as government lands or lots; (4) Lands and lots sold by the trustees of the Illinois and Michigan Canal shall be taxable from and after the time the full payment therefore is made. The Illinois Central railroad lands and lots shall be taxable from and after the last payment becomes due. Swamp lands and lots whenever the county sells, conveys or agrees to convey its title. Provided that canal, Illinois Central railroad and swamp lands shall be in other respects, governed, as to the time of becoming taxable the same as government lands.

The main change made in the assessment of real property since 1872 was effected by the introduction of the quadrennial method in 1898.¹ This method was first introduced by the act of 1879,² but this act was repealed at the following session of the legislature and the former method restored. As enacted in 1898, the law provided that all the real property should be listed by the county clerk and valued by the assessor only once every four years. In each year, however, the county clerk was required to list such property as should become taxable for the first time or was not listed by the proper description. The assessor was also required to record and value, each year such improvements as had been made since the last assessment and to make proper deductions for property destroyed. The lists were required to be made in duplicate.

Aside from this principal change, and several changes made in 1879 which were repealed in 1881, only a few unimportant

1. Laws of Ill. - 1898 - Extra session - p. 240.

2. Laws of Ill. - 1879 - p. 243.

changes have been made. An act of 1881, namely, provided for a method of assessment between towns; an act of 1903 made it optional with the county board whether duplicate lists should be prepared and an act of 1905 provided for the preparation of triplicate lists in counties having a population of 125,000 or over.

Return of assessment books,-

Prior to 1898, the assessment books in counties not under township organization were returned by the assessor to the County Clerk on or before the tenth of July each year.¹ After 1898, the books have been returned to the ex officio County assessor on or before the tenth of June.

In counties under township organization, prior to 1898, the assessment books were returned to the County Clerk on or before the tenth of July, the same as for counties not under township organization. Before these books were returned, however, they were reviewed and revised by the Town Board of Review. Since 1898, different provisions have been made for counties having less than 125,000 inhabitants and for counties having more than that number. In the former, the books are returned to the County Supervisor of assessments, on or before June first, with^{out} any intermediate review by the Town Board. In the latter (Cook County only) the books are first subject to a review by the County Board of assessors and are then returned to the County Board of Review. The time set for the return of these books is the same as for the former.

When the assessment books are returned it is required .

1. Laws of Ill. - 1872 - p. 23.

that the books, in all cases, must be verified by an oath or affidavit¹ couched substantially as follows:

I ----- assessor of -----, do solemnly swear that the book to which this is attached contains a correct and full list of all the real property (or personalty as the case may be) subject to taxation in -----, so far as I have been able to ascertain the same; and that the assessed value set down in the proper column opposite the several kinds and descriptions of property is, in each case, the fair cash value of such property, to the best of my knowledge and belief (where the assessment has been corrected by a town board, "except as corrected by the town board"), and that the footings of the several columns in said book and tabular statement returned herewith, is correct, as I verily believe.

When the assessment is not made by an individual but by a board as in Cook County, it is provided that the affidavit be signed by at least two members of the Board.

In addition to the return of the assessment books, the assessors are also required to return the schedules and statements of personal property made by the persons taxed. These returns are made at the same time the other returns are made. Prior to 1898, the schedules and statements were filed with the County Clerk for a period of at least two years, but since 1898, they have been filed for a period of two years with the County Assessor in counties not under township organization; with the Supervisor of Assessments in counties under township organization having a population of less than 125,000 inhabitants, and with the Board of Assessors in counties having more than 125,000 inhabitants.

Publication of assessment lists,-

The publication of the assessment lists was not required by law until 1898. It was then introduced as a means of bringing

1. Laws of Ill. - 1872 - p. 23.

about a higher valuation of property. By compelling the publication of the assessment, it was thought that persons listing their property for taxation would hesitate to undervalue the same since their neighbors could readily see whether the property was undervalued or not.

Under the law of 1898,¹ every county assessor, board of assessors and supervisor of assessments, when the assessment was completed, was required to publish a full and complete list of the assessment by township or assessment districts. In counties of less than 125,000 inhabitants this publication was to be made on or before the tenth of July in some public newspaper published in the township if there was any published, otherwise in the county. In counties having more than 125,000 inhabitants the assessment list was to be published at the same time but by election precincts and in pamphlet form. It was required that one copy of this publication be sent to each taxpayer in the precinct. In both instances the assessment of personal property and the changes made in the assessment of realty was to be published annually and the quadrennial assessment of real property only once every four years.

By an act of 1905,² the law of 1898 was so amended that the publication of the assessment of realty was to be made by the Board of Review of the County after the latter had revised and reviewed the same. The changes made by the Board were to be noted in a separate column. In counties of 125,000 inhabitants, it was specified that only the list of the assessment in the precinct where the tax payer resided was to be mailed to him.

1. Laws of Ill. - Extra session - 1898 - p. 45.

2. Laws of Ill. - 1905 - p. 361.

The act of 1907¹ returned in part to the method provided in 1898. By this amendment, the county assessor and the supervisor of assessments in counties having less than 125,000 inhabitants publishes the assessment of personal property and changes made in realty every year, the same as in 1898. He also publishes the assessment of realty every four years. In counties of 125,000 inhabitants, the personal property is published every year and the realty only once in four years, but in this case not until the assessment has been reviewed by the County Board of Review.

Efficiency in the assessment , -

Considering the assessment of property by local assessors from the point of view of efficiency, the most important facts that attract our attention are: the steadily increasing practice of undervaluation; the relatively small amount of personal property assessed, and the futility of using the oath and various kinds of penalties as instruments in securing a fair valuation of property.

As to the first fact, viz., that the undervaluation is increasing, it is to be noted that while the property in the state according to the estimations of the United States Census has increased in value by about \$7,000,000,000 from 1873 to the present, the assessed valuation has not increased at all but is actually lower at the end of this period than it was at the beginning. In this connection, it must, however, be remembered that the year 1873 witnessed an especial attempt at a full valuation of property for taxing purposes, and that since 1898, the assessed valuation has by

law been fixed at one fifth of the actual value. Notwithstanding these extenuating circumstances, it is nevertheless, apparent that the undervaluation has increased enormously.

In order that it may be readily seen how constantly the undervaluation of property increased, a comparison has been made between the estimated true value of property in the State¹ and the assessed value, with the following results:

Year.	Percent of true value, assessed.
1870 -----	23%
1880 ² -----	25.44%
1890 -----	15.98%
1900 -----	12%
1904 -----	12%

Considering the percentages of this table it also appears, in addition to the fact that the undervaluation is increasing, that the legislative act of 1898 which fixed the assessed valuation at only one-fifth of the full value did not tend to check the undervaluation. The act referred to which substituted the one-fifth for the full valuation is a piece of legislation wholly peculiar to Illinois and it is interesting not only to trace the causes which brought it about, but also to note the results that have ensued.

As to the causes which prompted this legislation, there is

1. The estimated true value as determined by the Bureau of U. S. Census.

2. The relatively high valuation in 1880 is due to the fact that in 1873, a special effort was made to value property at its full value, the effects of which were still evident in 1880.

no definite knowledge, but in the writer's opinion the legislation was an outgrowth of two conditions, viz., a prevalent undervaluation of property that made perjury a common sin which weighed heavily on the conscience of honest men, and an attempt on the part of the legislature to legalize the undervaluation at a fixed percent, thereby relieving honest persons and at the same time providing a check to the undervaluation.¹

That the law, if made with this intention, has failed of its purpose is apparent from the fact that the undervaluation has not been checked. As a consequence perjury must still be the rule.

Whether the rise in the assessed valuation since 1900 as is shown by the chart on page is due in any way, to this legislation of 1898, is difficult to determine.

In the writer's opinion the upward tendency in the valuation was not due to the change from the full valuation to the one-

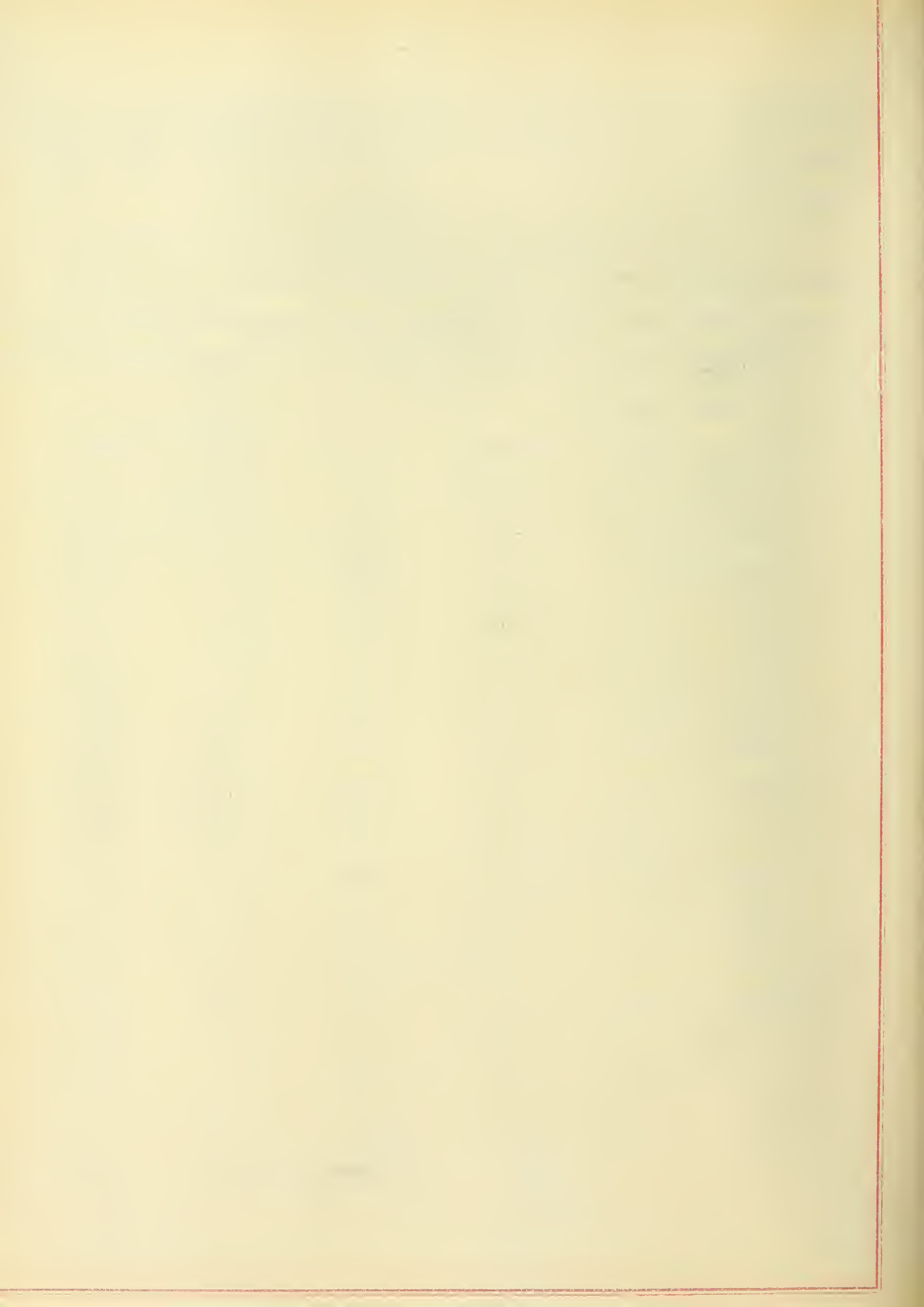
1. By one writer, R. H. Whitten (Journal Pol. Econ. - Vol. 5, p. 175), this legislation is ascribed to a wholly different motive. It is the writer's contention that this change in the valuation was advocated and sought by the city of Chicago "because assessment at actual value, by enormously increasing the assessed valuation of the city would put it in the power of the city council to make a proportionate increase in the city tax levy and bonded debt."

That this cannot be the motive that prompted the legislation is apparent from the fact that the law of 1898 expressly states that the one-fifth valuation should constitute the limitation for taxation as well as indebtedness.

fifth valuation but was due to the increased efficiency of the administration of the assessment brought about by the strong agitation of the time.

As to the second fact that the personal property assessed bears a very low ratio to real property assessed, the following table will show that personal property has constituted about one-fifth of the total property assessed, or about one-fourth of the assessed value of real property.

Year.	Real.	Personal.	Year.	Real.	Personal.
1873	70.89%	29.11%	1889	78.19%	21.81%
1874	74.22	25.78	1890	78.46	21.54
1875	75.34	24.66	1891	79.98	20.02
1876	77.25	22.75	1892	79.76	20.24
1877	78.81	21.19	1893	80.87	19.13
1878	79.54	20.46	1894	78.78	21.22
1879	79.53	20.47	1895	79.86	20.14
1880	77.85	22.15	1896	80.13	19.82
1881	78.02	21.98	1897	80.96	19.04
1882	77.99	22.01	1898	80.42	29.58
1883	77.94	22.06	1899	78.55	21.45
1884	78.51	21.49	1900	78.09	21.91
1885	79.01	20.99	1901	77.38	22.62
1886	79.77	20.23	1902	76.20	23.80
1887	79.30	20.70	1903	77.14	22.86
1888	79.82	20.18	1904	79.39	20.61
			1905	79.25	20.74



Comparing Illinois with a few other states we find the following:

Year.	Ill.	N. Y. ¹	O. ²	Wis. ³	Year.	Ill.	N. Y.	O.	Wis.
1870-	29.11%	22.0%	40.0%	-----	1890-	21.54%	10.5%	31.0%	19.40%
1875-	24.66"	17.0"	34.5"	-----	1895-	20.14"	10.5"	30.0"	18.13"
1880-	22.15"	12.0"	29.0"	-----	1900-	21.45"	12.0"	31.0"	19.63"
1885-	20.99"	10.7"	31.0"	-----	1905-	20.74"	9.0"	31.0"	-----

From this table, it will be seen that the proportion of personal to real property is not especially low in this state, but that the condition which we find to exist in this state is also the condition in other states.

With respect to the third point, viz., that oaths and penalties have been futile instruments, we have noticed how the legislature in its attempt to secure efficiency in assessment has prescribed oaths to be given by the person listing property and by the assessor when entering upon his duties and when returning his books. In addition to this we have also seen how penalties have been provided for failure on the part of the lister of property to list correctly, swear falsely, etc., and similar penalties provided for the assessor. These oaths and penalties have not been provided at any one time but have been gradually increased, in the vain hope that an additional oath here and another penalty there would accomplish the desired results. That these provisions for securing

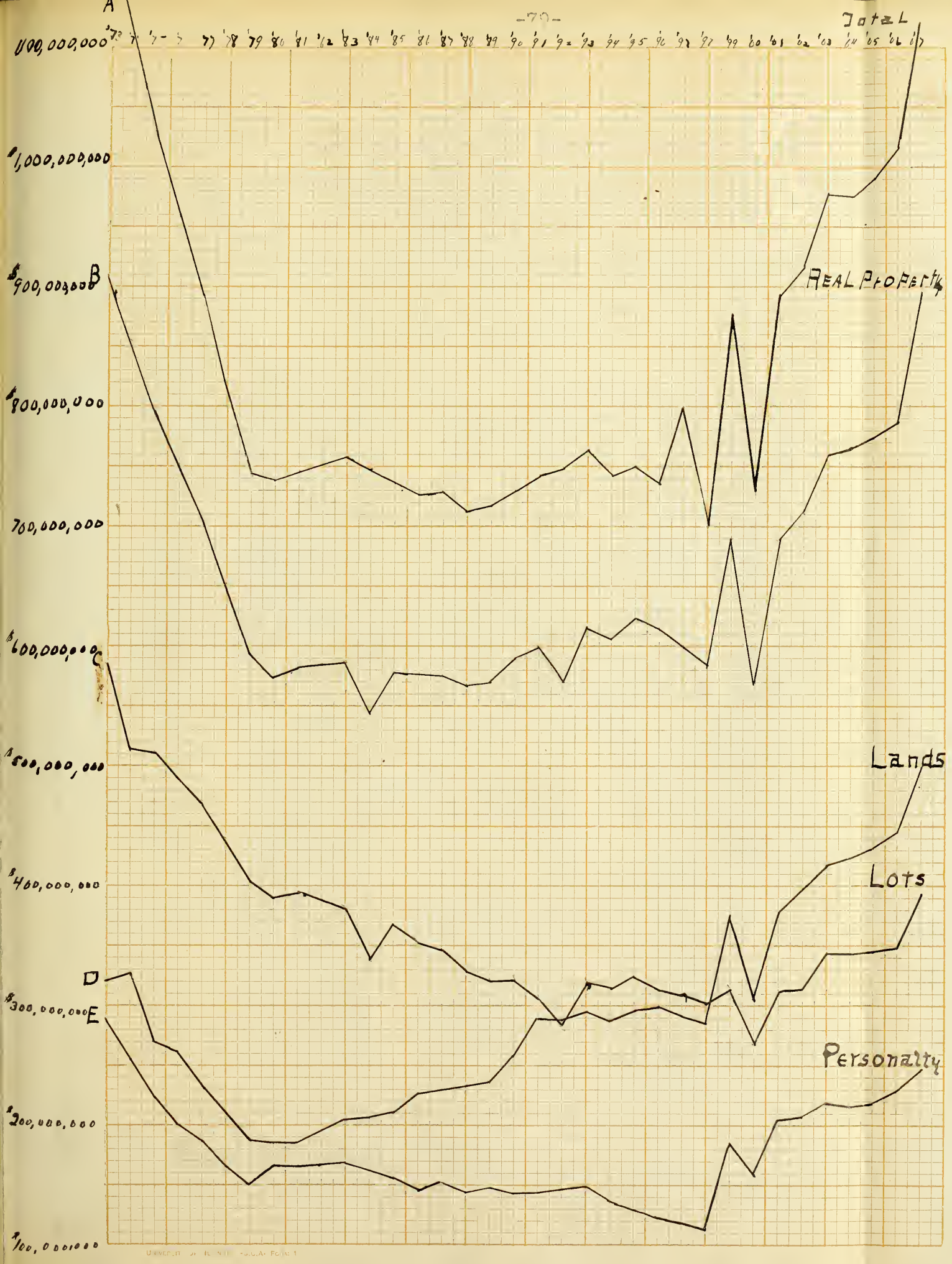
1. N. Y. State Comptroller's reports.
2. Ohio State Auditor's reports.
3. Wisconsin Tax Commission's reports.

efficiency have proven quite futile appears at least to be the proper conclusion to be drawn from the fact that the undervaluation has been steadily increasing.

The chart on the following page is a graphic presentation of the rise and fall in the assessed valuation, from 1877 to 1907 of,

- (1). All the property assessed by local assessors.
- (2). The real property.
- (3). Lands.
- (4). Lots.
- (5). Personal property.

The features of the chart specially worthy of notice are, the relative insignificance of the assessed valuation of personalty; the remarkable increase in the value of city real estate, and the general increase since the reaction immediately following the revenue legislation of 1898.



1

Table showing the equalized valuation of personalty, lands, lots, realty (land and lots), and total real and personal property, assessed by local assessors, also the equalized valuation of all property assessed by both the State Board of Equalization and the local assessors.

Year.	³ Personalty.	³ Lands.	³ Lots.
1873	\$288,847,901	\$584,618,326	\$323,321,876
1874	255,259,578	526,266,033	327,367,733
1875	232,185,509	523,889,896	269,849,473
1876	206,908,736	490,119,292	261,795,240
1877	188,771,714	472,433,414	231,248,217
1878	166,606,691	440,837,208	211,543,791
1879	151,266,831	406,072,534	187,416,145
1880	164,394,066	391,396,600	184,044,453
1881	164,946,676	394,492,766	286,804,684
1882	165,946,827	389,169,905	195,722,193
1883	167,755,439	383,443,160	205,325,590
1884	161,887,199	338,255,279	206,672,237
1885	155,813,148	368,473,796	209,417,302
1886	147,437,573	351,742,103	227,655,144
1887	150,360,597	347,304,044	229,280,863
1888	142,354,658	337,421,350	231,425,916
1889	146,952,593	331,549,390	237,485,656
1890	142,201,091	331,156,217	255,889,169
1891	142,066,756	309,223,679	289,918,748
1892	144,971,529	284,789,778	285,519,954
1893	146,247,062	321,575,804	293,885,134
1894	135,147,012	315,465,193	289,767,821
1895	128,742,115	322,171,959	298,172,499
1896	121,639,720	311,050,565	300,962,627
1897	117,549,353	308,520,973	291,138,354
1898	111,536,597	300,211,800	284,372,381
1899	185,316,653	314,731,330	374,791,233
1900	157,426,634	265,588,643	304,030,826
1901	202,238,403	311,317,004	377,893,139
1902	204,744,800	312,642,309	397,929,595
1903	218,967,323	341,705,111	416,542,534
1904	213,324,220	341,345,777	421,914,942
1905	315,351,899	342,769,065	430,983,376
1906	229,792,122	343,585,542	442,275,998
1907	246,819,650	391,904,086	499,893,662

1. The data for this table were obtained from the Rep. of the State Bd. of Eq.

2. Table continued on next page.

3. These amounts include respectively the personalty and real property of railroads assessed by local assessors.

(Table continued)

Year.	Lands and Lots.	1	2
		Equalized Valuation.	Equalized Valuation.
1873	\$907,939,202	\$1,196,787,103	\$1,355,401,317
1874	853,633,766	1,107,893,344	1,194,456,451
1875	793,739,369	1,925,924,878	1,085,539,856
1876	751,914,533	958,823,269	1,001,123,110
1877	703,680,631	892,452,345	931,199,308
1878	652,380,999	818,987,690	857,235,762
1879	593,488,679	744,755,510	784,623,550
1880	575,441,053	739,835,119	786,616,394
1881	581,297,450	746,244,146	799,813,566
1882	584,892,098	750,838,925	809,995,895
1883	588,768,750	756,524,189	817,904,721
1884	544,927,516	746,812,715	809,169,803
1885	577,391,098	733,703,833	798,482,823
1886	579,397,247	726,834,820	793,563,498
1887	576,584,907	726,945,504	797,752,888
1888	568,847,266	711,201,924	784,911,874
1889	569,035,046	725,987,544	792,197,542
1890	587,045,386	729,246,477	808,892,782
1891	599,142,427	741,209,183	822,109,429
1892	570,309,732	747,652,714	831,310,306
1893	625,460,938	762,295,799	847,191,516
1894	605,233,014	740,380,027	824,651,628
1895	620,344,458	749,086,573	833,188,467
1896	623,023,192	733,652,912	816,679,620
1897	599,659,327	799,695,853	799,695,853
1898	584,584,181	699,486,640	788,474,910
1899	689,522,570	874,839,223	953,099,468
1900	569,619,469	727,046,103	809,733,405
1901	689,210,143	891,448,546	999,231,829
1902	710,571,704	919,316,704	1,030,292,435
1903	758,247,645	977,214,968	1,083,050,979
1904	763,260,719	976,584,939	1,082,744,083
1905	772,952,441	989,104,340	1,095,681,557
1906	785,861,540	1,015,653,662	1,126,663,157
1907	891,802,748	1,138,622,398	1,251,974,306

1. Of property assessed by local assessors.

2. Of property assessed by the State Bd. of Eq. and the local assessors.

The Review and Equalization of the Assessment.

In the administration of the general property tax, the review and equalization of assessments plays a very prominent part. In the first instance, inequalities are very apt to exist in the assessment of different individuals dwelling in the same community owing to the fact that all persons are not equally honest and all property not equally subject to concealment. Furthermore various contingencies may arise, such as errors on the part of the assessor, either in recording valuations or in valuing property. All these conditions demand that some authority exist to which matters of this kind may be referred and justice granted.

In the second instance, inequalities in the assessment between various portions of the county in the first place, and secondly, between the counties of the State require that some authority also exist in this case to which these inequalities may be referred and equality of assessment between the different territories attained.

In Illinois, since 1872, means for such review and equalization have been provided for the assessment of individuals within the town; of towns and districts within the county and of the counties in the State.

The township,-

For the townships the law of 1872¹ provided that the board

1. Laws of Ill. - 1872 - p. 22.

of review and equalization should consist of the town assessor, the town clerk and town supervisor, any two members being authorized to act. This committee or board was required to meet on the fourth Monday of June but could adjourn from time to time. The assessor was to call the meeting by giving a ten day's notice thereof. The failure, thus to call a meeting, however, or even to hold a meeting would not vitiate the assessment except as to the excess of valuation or tax shown to be unjustly made or levied. As to the duty of the board, the law provided that on application of any person considering himself aggrieved, or who should complain that the property of another was assessed too low, the board should revise the assessment and correct the same as should appear to them just. No change, however, could be made in the assessment until the person whose assessment was to be changed, or his agent should be notified by writing if a resident of the county. In case any property was assessed after the fourth Monday of June, the same would be subject to review and revision by the county board of review instead of the town board.

With a slight amendment in 1879 which was repealed in 1881 and another in 1891¹ which specified that an individual could appeal to the county board of review from the decision of the town board by properly notifying the town board thereof, the provisions of the law of 1872 for township review and equalization remained unchanged until 1898. By an act of this year the town board of review was abolished in all counties except Cook, and the work formerly done

1. Laws of Ill. - 1879 - p. 187.

by it largely transferred to the County Board of Review. Partially, its powers were transferred to the County Supervisor of assessments who was given the power to hear and receive complaints and make and alter assessments in the same manner as the assessors. In Cook County, which is the exception to the rule, the Board of Assessors is required to meet on the first Monday of June for the purpose of revising the assessment of real property and on the third Monday of the same month for the purpose of revising the assessment of personal property. At such meetings, the Board may hear complaints and revise the assessment as shall appear to them just. These meetings may be adjourned from time to time but the revision must be completed before the first of July.

County,-

For the Counties, the law of 1872¹ provided that the County Board of Commissioners or County Board of Supervisors, as the case might be, should also constitute a board of review and equalization for assessments in the County. The meetings of these boards were to be held on the second Monday of July. The duties assigned the board were: (1) To assess such real property as had been listed by the County Clerk but not assessed; (2) To correct and revise the assessment of persons aggrieved or against whom complaint has been brought, provided the necessary notice be given; (3) To hear and determine the application of any person who is assessed on property claimed to be exempt from

1. Laws of Ill. - 1872 - p. 24.

taxation; * and (4) To ascertain whether the valuations in one town or district bore a just relation to all the towns or districts in the county; and to increase or diminish the aggregate valuation of property in any town or district as much as might be necessary to produce a just relation between the valuation of all property in the county. The aggregate valuation of the county could not be decreased below the aggregate assessed valuation, nor increased except in such amount as would be actually necessary and incidental to a proper and just equalization. In equalizing the property, the board should consider lands, town and city lots, personal property and railroad property (except "Railroad Track" and "Rolling Stock") separately and determine a separate rate percent of addition or reduction for each of these classes. Should the board find the assessment too high or too low or generally so unequal as to render it impracticable to equalize, they were authorized to set aside such assessment and order a new assessment with instructions to the assessor to increase or diminish the assessment as the case might be.

Until 1898, the equalization of property in all the counties was accomplished in the manner provided by the law of 1872 as described above, but in 1898, several changes were enacted.

For counties not under township organization, this law provided that the County Board of Commissioners should continue to

* The County Clerk was required to notify the Auditor of the decision of the Board. If the Auditor concurred the decision held; otherwise it was referred to the State Supreme Court.

serve as a county board of review. For counties under township organization, having a population of less than 125,000 inhabitants, it was provided¹ that the Board of Review was to consist of the chairman of the County Board of Supervisors, the County Clerk and some citizen of the County to be appointed by the County Judge. By an amendment of 1907,² the board was made to consist of the chairman of the Board of Supervisors, and two citizens appointed by the County judge, one of said citizens being appointed from each political party.

For counties under township organization having a population of 125,000 inhabitants or over (Cook County only) the law of 1898³ provided for the election of a board of review to consist of three members, each member to serve six years. These members may hold no other lucrative or public office and are required to give a very exacting oath upon entering their office.

As to the duties and powers of the boards of review, the law of 1898 did not differ very much, in its provisions, from the law previously in force. In addition to the previous requirements, it provided that complaints against assessment must be made at a fixed time and that when an increase of the assessment of any district was contemplated, the same could not be effected until at least ten property owners in that district be notified and given an opportunity to be heard. It also provided that the board could summon an assessor or any other person to appear before them with

1. Laws of Ill. - 1898 - p. 46.

2. Laws of Ill. - 1907 - p. 497.

3. Laws of Ill. - 1898 - p. 46.

respect to the assessment. Any person, so called, who should refuse to come or to give information would be deemed guilty of misdemeanor and on conviction be fined in any sum not exceeding \$500.

1
An amendment in 1905 introduced several other modifications and extensions of the powers of the board of review. It provided (1) that the assessors must be notified when changes are to be made in the assessment; (2) that in counties of 125,000 inhabitants or over, the valuation of real property could be corrected for the next succeeding annual assessment, except in the year preceding the quadrennial assessment; (3) that monthly meetings must be held by the boards of review in counties of 125,000 inhabitants from November to March; (4) that fifty property owners instead of ten residing in a district must be notified and given an opportunity to be heard ere a change in the assessment of that district can be made; (5) that in case of any error in the assessment, a certificate must be issued to the individual erroneously assessed, to be used in court as evidence. As to the time of meeting, the law of 1898 fixed the time at the second Monday in July, the board having the right to adjourn from day to day. By an amendment of 1907, the time was changed to the third Monday in June, the final adjournment to take place on or before September 7. When the board has met and completed the review of assessments, it must attach an affidavit to the assessment books as altered or approved by it, the same to be signed by at least two of the members.² The books containing the

1. Laws of Ill. - 1905 - p. 362.

2. Laws of Ill. - 1898 - p. 44.

assessment of personal property and one set of the duplicate or triplicate books containing the assessment of realty are delivered to the County Clerk; where there are only duplicate sets, the duplicate is returned to the assessor or supervisor of assessments, but when there are triplicate books, (Cook County only) one set is retained by the board and one set returned to the board of assessors.

When the County Clerk has received the assessment books, he is required to return to the State Auditor an abstract of the assessment of property in the County. The law prescribes how the statements shall be prepared and how the property shall be classified. In case of the failure of any assessor to make a return of the assessment within the time specified, it becomes the duty of the County Clerk to transmit a statement of the assessment in all towns and districts from which returns have been received, together with a statement of the amount of taxable property assessed in the defaulting town or districts for the previous year.¹

Prior to 1898, the County Clerk had to report to the State Auditor on or before the tenth of July² each year, but since 1898 the tenth of September has been the time set.

State board of equalization (1867-1872),-

For the purpose of equalizing the valuation of property between the counties of the State, a State Board of Equalization was

1. Laws of Ill. - 1872 - p. 26.

2. " " " " " "

3. Laws of Ill. - 1898 - p. 51.

established in 1867.¹ As it appears from the Auditors' reports and Governors' messages of the time, the undervaluation varied greatly between the various counties of the State, and was furthermore augmented by the fact that a low valuation in one county would decrease the State tax in that county in proportion to the tax of other counties. The governor and auditor both recommended the establishment of a Board of Equalization, being of the opinion that such a board would secure equality in the valuation between the counties of the State.

The act of 1867, creating the board, provided that the first board should be appointed by the governor for a period of two years, one member to be appointed from each senatorial district in the State. After the first two years, the board was to be elected for a term of four years, one member to be elected from each senatorial district. The board was to meet on the first Tuesday in October and could continue in session only fifteen days. The proceedings of each session was to be published annually. The salary of each member was fixed at \$8 per diem with extra allowance for mileage, stationery, etc. With respect to these matters, no change was made prior to 1872 with the exception of the duration of the session which was extended to 30 days in 1869.

In equalizing real property, the board was required to add to the aggregate assessed value of the real property in each county in which the board should believe the valuation to be too low, such percent as would raise the same to its proper proportionate

value, and to deduct in case the valuation appeared too high, such percent as would reduce the same to its proportionate value.

In equalizing the valuation of the personal property, the statutes prescribed that the board should cause to be added together the average values of each kind of domestic animals and enumerated articles in each county, and the sum so obtained as compared with the added general averages of the same kinds of property throughout the State, should be held by the Board to indicate the proportion which the whole assessment of all personal property in each county bore to the whole assessment of personal property throughout the State.

When the proportion had thus been ascertained, the statutes stated that the equalization of personalty should be effected in the same manner as the equalization of real property.

When the relative valuations of real and personal property had been considered separately, the board was required to combine the results in such a manner as might be deemed equitable, and determine a uniform rate percent to be added or deducted from both classes in each county provided it did not interfere with the equalization of assessments in the county.

Should one-third or more of the towns in any county fail to report to the County Clerk and thru him to the State Auditor, the board was authorized to leave the equalization of the assessment in these towns to the State Auditor. Should the number of towns failing to report be less than one-third, the board was authorized to estimate the valuation.

The first board assembled in 1867 as was provided by the

statutes and proceeded to equalize the property in accordance with their interpretation of the statutory provisions.

In equalizing the value of real property thruout the state, the Board classified^{the} counties of the state into nine groups and determined upon a certain average value per acre in each of these groups. The real property of whatever kind in each group was then equalized on the same basis as the land. If the assessed value of land in a county fell below the value of that group as determined by the board, the percent, necessary to raise it to the required value was added to the assessed value of all real property. If the assessed value was above, the percent was deducted in a similar manner.

When the board met the following year, the same method was pursued with the exception that the counties were classified in sixteen groups. This year a resolution was passed recommending that lands, town and city lots, and railroad realty and personal property be equalized separately, a recommendation which was favorably acted upon at the next session of the legislature.

The method of classifying counties in the equalization of lands which the board adopted at its first meeting has been continued up to the present time. The following table shows by five-year periods the number of classes into which the board classified the counties for this purpose; the maximum and minimum classified value per acre which it determined upon for each class, and the maximum and minimum equalized value per acre for each class.

Table showing the classification of counties made by the committee on equalization of lands.

Year.	No. of Classess.	Classified Value.	Equalized Value.
1870	21	\$14.00 to \$2.60	-----
1875	21	65.00 " 4.00	-----
1880	31	45.00 " 3.50	\$38.99 to \$3.04
1885	32	43.50 " 3.50	41.59 " 4.59
1890	28	44.00 " 4.00	38.72 " 3.52
1895	28	44.00 " 4.00	34.00 " 4.29
1900	24	29.00 " 2.50	-----
1905	24	36.50 " 2.50	-----
1908	24	36.50 " 2.50	-----

In equalizing the valuation of the personal property, the board found the average value of the following enumerated articles to be as follows: Horses \$38.73; cattle \$11.58; mules \$41.79; sheep \$1.32; hogs \$2.01; carriages and wagons \$25.65; clocks and watches \$4.61; and pianos \$91.45.

Having also determined the average value of these items of property in each county, the relation of the average in each county to the average in the state was taken to be the proportion which the assessment of all the personal property in each county bore to the average in the state. So far the board acted according to the statutes. When, however, this proportion had been found, the board did not equalize the valuation as it equalized the real property, which was provided for by the statutes, but added to or deducted from the valuation of each county a sufficient percent to make the valuation of each county equal to the average in the state.

In equalizing the personal property in this manner, the board, at least, considered itself to be acting in accordance with the provisions of the law.

Objections, however, were made against this interpretation by the board.¹ It was urged that the value of enumerated property was not the same in all the counties so that an average for the whole state worked an injury to those counties where the actual value of this form of property was low.

It was also objected that the average valuation of certain enumerated articles such as domestic animals and the like was not an index to the valuation of intangible forms of property and therefore no just basis for the equalization of all personalty.

Because of the objections made, the board in 1868 recommended several changes to the legislature and in 1869,² the recommendations were incorporated in the law. The new act specified that the board in equalizing the valuation of property, should consider the following classes of property separately, viz.: lands, town and city lots, railroad property and personal property; and upon consideration should determine such rates of addition to or deduction from the assessed valuation of each of said classes as might be deemed equitable and just. The rates as determined for the several classes of property should not be combined but should be extended by the county clerks against the assessed valuation of each of the classes of property separately.

1. Report of Bd. of Eq. - 1868 - p. 63.

2. Laws of Ill. - 1869 - p. 352.

Acting under the provisions of this act, the board in 1869, classified the counties in equalizing the assessed value of personal property just as they had previously done in equalizing real property. The first committee, working under these rules, reported that it had classified the counties, for the purpose of equalizing their personal property, into nine classes (exclusive of one city) having reference to their contiguity to market, their wealth and distinction in stock and other products, and had made such additions and deductions as would do justice to the several portions of the state. Later committees do not report that they classified the counties but merely state that they have made the additions and deductions necessary to a just equalization.

From 1869 to the present, the board had been free to equalize personalty as well as all other forms of property according to its best judgment and has not been bound by any rules. That this has led to abuses is especially evident in the equalization of lands from the fact that the struggle on the part of the members to place their counties in the lowest class possible has been an annual occurrence.

Board of Equalization (1872-1909),-

When the new revenue act was passed in 1872,¹ the system of state equalization then employed was incorporated into the new law with some changes as to makeup of the board but with practically the same method of equalization in use since 1869.

The board was now to consist of one member elected from

1. Laws of Ill. - 1872 - p. 26.

each congressional district - not the senatorial district as formerly - and the Auditor of Public Accounts was also to be a member of the board. The members were to be elected every four years; the board was to organize quadrennially, and the annual meeting was to be held at the State capitol on the second Tuesday in August. As salary, the members were to receive \$5 per day, in addition to a mileage fee and \$10 for stationery.

As formerly, the board was to publish a report of its proceedings each year. The method of equalization remained as was said before, practically the same as provided for in 1869. The different kinds of property, viz., personal, lands, town and city lots, and railroad property were to be equalized separately and these rates were not to be combined. The average value of enumerated property in the state was still to constitute the basis for the equalization of all the personal property. As we have already remarked, this provision of the statutes has been very unimportant since 1869, due to the fact that the board is in no way bound to make the county average the same as the State average.

The only important change made in the method of equaliza-¹tion by the act of 1872, was the limitation placed upon the increase and reduction of the aggregate assessed valuation of the state. Henceforth the board was not at liberty to reduce the aggregate assessed valuation of the State in any amount, whatsoever, nor to increase it in any amount exceeding one percent. Since 1872, only several changes have been made.

1. Laws of Ill. - 1872 - p. 26 et seq.

In 1898,¹ it was provided that the increase or decrease in the aggregate assessed valuation of the State could not exceed 10%. The time of meeting was fixed at the tenth of September in 1898 but changed to the tenth of August in 1907.²

Efficiency of the State Board of Equalization,-

To determine whether the State Board of Equalization has been an efficient institution in the equalization of the assessment, is a difficult task, in the first place, because it is practically impossible to find the average rate of undervaluation in each county, and in the second place, because the reports of the State Board do not show how the committees on equalization arrive at the proper amounts to be added or deducted.

Considering, however, the fact that (1) the actual value of the various kinds of property differs from place to place due to location, proximity to market, transportation facilities, etc.; that (2) the amount of property, wholly escaping the assessor can only be roughly estimated; that (3) each member of the Board is elected for the purpose of protecting his own district, and that (4) the Board has not followed any definite rule in ascertaining the additions and deductions, it can be safely stated that the equalization at its best has been only a shrewd guesswork. Whether, apart from the fact that any equalization in itself can only be approximately correct at best, it is furthermore, true that the board has failed to secure an approximately fair equalization because of the

1. Laws of Ill. - 1898 - p. 52.

2. Laws of Ill. - 1907 - p. 497.

selfish and political motives of the members and because of direct fraud, is another difficult question to answer.

1 Of this aspect of the question, Governor Altgeldt in his message to the legislature said the following: "Theoretically a board (thus composed) is supposed to labor for a fair and equal assessment thruout the State -----; but in practice the board has been almost the opposite of this, and has demonstrated conclusively that fair equalization by a board thus composed cannot be had -----. So far as it does anything on the subject of equalization it is simply an effort by one or more sections of the State to throw the burden onto some other portion of the State." He points out that the State tax is relatively so small that little injustice, if any, would be done by levying the State tax on the assessment as equalized by the County Board of Review.

Apart from these considerations, the chart on the following page shows that since 1873, there has been a constant, tho slightly varying, tendency on the part of the Board to leave the assessment of the counties unchanged and to make fewer additions and deductions. For the last eight years, only one change has been made in the assessment of personal property; In town and city lots, there has been no change in the past two years, and in lands only a few each year.

This tendency may be the result of one or more of a number of causes. First, it may be due to the fact that the valuation in the various counties has been approaching a common rate; secondly, it may be due to negligence on the part of the Board, and,

Table showing the number of counties in which the valuation was left unchanged by the Board of Equalization.

Year.	Personalty.	Lands.	Lots.	Year.	Personalty.	Lands.	Lots.
1869	1	2	41	1889	15	3	15
1870	5	4	1	1890	19	8	20
1871	10	10	11	1891	18	7	21
1872	13	17	33	1892	16	10	28
1873	0	0	0	1893	13	9	20
1874	2	1	0	1894	24	8	36
1875	19	0	1	1895	22	18	42
1876	4	4	4	1896	23	10	43
1877	1	1	5	1897	49	38	14
1878	8	8	9	1898	38	19	42
1879	3	4	7	1899	All.	7	55
1880	5	10	4	1900 ¹	8	6	1
1881	2	2	7	1901	All.	26	99
1882	16	5	7	1902	All	17	98
1883	12	4	18	1903	All	34	79
1884	16	4	21	1904	All	34	77
1885	23	12	34	1905	101	52	83
1886	13	4	21	1906	All	54	83
1887	24	8	38	1907	All	92	All
1888	7	5	12	1908	All	96	All

1. As to "personalty" all the remaining counties were decreased 15% with the exception of a 10% for Cook. As to the "lots" the remaining counties were decreased 15% with the exception of Cook, Hardin, and Pulaski.

thirdly it may be due to the fact that the Board has realized that it was not able to make a fair equalization and has, therefore, left the assessment unchanged. That the first condition can hardly be the reason for this tendency seems to be proved by the fact that the assessment reports to the Auditor continue to show gross inequality as between counties. ¹ That the second reason assigned is the correct one, may, of course, be possible altho it is hardly probable. If inefficiency, on the part of the board, were the true cause, it may, at least, be said, that it would not have required ~~an~~ inefficiency any greater, to make some small addition or deduction in each case and thereby, at least, make a good showing.

The third reason assigned, viz., that the board has recognized its inability to make a fair equalization, would, therefore, appear to be the most probable.

1. In 1908, Cook Co. is surpassed by five counties as regards the value of franchises. Cook Co. reported the average value of steam engines and boilers to be only \$113.22 whereas Rock Island reported an average value of \$262.83 and Peoria, \$346.26. Safes in Cook Co. were only valued at \$7.41; in Putnam they were valued at \$28.64. Pianos in Cook Co. were valued at \$15.44; in Cass at \$24.85. As to moneys of Bank, Banker, etc., Cook reported only \$423,204 whereas McClean Co. reported \$481,961. As to credits of other than bank, banker, etc., Cook Co. reported only \$304,217 more than Kankakee Co. and only \$187,227 more than Winnebago Co. When it is remembered how Cook Co. actually compares with the other counties it is easily seen that inequality exists.

However this may be, the fact, at least, still remains as is shown by the table, that the board, today, is of practically no value as respects the equalization of assessments. If it exerts any influence today worthy of notice, it is of a potential character; that is, the valuation in the various counties might tend to be more uniform because of the fact that the board exists and is able to increase the valuation if there should be any glaring inequality.

Table showing for each year the number of counties in which the valuation has been increased and decreased, also the highest percentage added and deducted.

Year.	Number of Counties.		Highest Percentage.	
	Increased.	Decreased.	Added.	Deducted.
1873			152	55
1874			129	43
1875	39	63	122	39
1876			116	41
1877			141	39
1878			104	31
1879			102	25
1880	40	58	74	33
1881			74	23
1882			79	22
1883			74	20
1884			74	25
1885	33	61	51	42
1886			49	31
1887			42	28
1888			63	36
1889			45	40
1890	31	68	49	35
1891			52	29
1892			48	31
1893			58	34
1894			46	31
1895	31	56	63	31
1896			58	35
1897			73	25
1898			45	21
1899			28	14
1900	7	95	16	30
1901			32	28
1902			24	17
1903			20	32
1904			20	31
1905	6	47	11	12
1906			11	15
1907	4	6	6	4

Collection.

In the collection of the general property tax, both state and local, practically the same method had been employed since the enactment of the revenue law in 1872. Since then it is true that some changes in the regulations governing the collection have been made at almost every session of the legislature, but in spite of this, the general procedure has remained the same.

By the law of 1872,¹ the county and the township were made the administrative agents of the state for the purpose of collecting both state and local taxes, and no taxes on general property were to be collected directly by the State, city, town, village or district.

Collector,-

In counties not under township organization the county was to serve as a collection district and the county sheriff was to serve in the capacity of ex officio county collector.² Should the office in any way become vacant, the county board was authorized to fill the vacancy by appointment. For the purpose of making the collection, the county collector was authorized to appoint as many deputies as he should find necessary.

In counties under township organization, the law provided for the election of a collector by each town to serve for one year, and also stipulated that the County Treasurer should serve as ex-

1. Laws of Ill. - 1872 - p. 32 et seq.

2. Laws of Ill. - 1872 - pp.35 and 36.

officio county collector. Should the office of town collector become vacant, the vacancy was to be filled by appointment by the town board. In case of vacancy in the office of County Collector, the County Clerk was required to take charge of the collection.

Before entering upon their duties each collector, whether of the county or town was required to subscribe to an oath and to execute a bond in double the amount of taxes to be collected. This bond when properly filed should serve as a lien against the real estate of the collector until legally cancelled.

As remuneration the collectors were not to receive stated salaries but were paid on the fee system. For the purpose of regulating the payment of fees, etc., the law of 1872¹ classified the counties of the state into three classes, the first class to include those counties having less than 20,000 inhabitants, the second class those having more than 20,000 and less than 70,000, and the third class those having more than 70,000 (the third class included Cook County only).

In all counties of the first class the County Collector was to receive a 3% commission on all taxes collected by him, in the second class, 2% thereof, and in the third class, 1-1/2%. In counties under township organization, the collector was also to receive a commission on the taxes collected by the township collectors and turned over to him. In the first class this commission was 1-1/2%, in the second 1% and in the third 3/4%. In addition to these commissions each county collector was to receive 10¢ mileage for certain traveling expenses, 3¢ for each tract or lot of land entered on

1. Laws of Ill. - 1872 - p. 424.

2. Laws of Ill. - 1872 - p. 437.

the delinquent lists, a like sum for entering the same on printer's lists, 10¢ for selling a tract of land and 3¢ for selling a lot.

As to the classification of the counties, a change was made in 1873, whereby the first class was to include counties having less than 25,000 inhabitants, the second class, counties having more than 25,000 and less than 100,000, and the third class, counties having more than 100,000 (this class includes Cook County only). Since this classification was made there has been no further change. With reference to the compensation of County collectors, a law of ¹1877, provided that the commission on taxes collected for cities or incorporated towns in counties under township organization should be 1%. With this change, the provisions of the law of 1872, still remain in force.

As compensation for township collectors, the law of 1872² provided that the collector should receive 2% of all the moneys collected by him, provided that the same did not exceed \$1,500. All commissions and fees in excess of this sum should be paid into the town or district treasury. Should the commission not prove sufficient compensation, the town board was authorized to allow an additional compensation. Since 1872, no change in these provisions has been made.

For the compensation of collectors in cities and incorpo-³rated towns of the first and second classes the law of 1872 provided that the city council should determine the amount to be paid,

1. Laws of Ill. - 1877- p. 105.
2. Laws of Ill. - 1872 - p. 444.
3. Laws of Ill. - 1872 - p. 444.

the same not to exceed 2% of the taxes collected. This provision also remains in force at present.

As to the manner of collection, the law of 1872¹ required that the County Clerk should make out for the use of collectors, books containing correct lists of taxable property as assessed and equalized. In counties under township organization these books were to be made by organized townships and in counties not so organized by congressional townships. Separate books, however, might be made for the collection of all taxes within the corporate limits of any city, town or village. In all cases, the books were to be so ruled as to provide three columns for values, (1) assessed value, (2) value as equalized by the County Board of Review and, (3) value as equalized² by the State Board. Later a column was also provided for tax sales.

These books were to be delivered to the collectors at a stated time, and to each book the County Clerk was required to annex a warrant directing the town or district collector to collect the sums entered, from the proper persons and pay over the sums so collected to the proper officials, also authorizing each collector, in case any person should neglect or refuse to pay his personal property tax, to levy the same by distress and sale of the goods and chattles of such person.

Having received his books and necessary warrant, the collector was then required to call at least once on each person taxed, or at his residence or place of business if in the town or district

1. Laws of Ill. - 1872 - p. 32.

2. Laws of Ill. - 1883 - p. 172.

of the collector, and demand the payment of the tax.

At stated intervals during the period for collection, the township collector was required to pay over the sums collected to the proper authorities of the county, city, village, etc. The County Collector was also required to do the same with regard to city, town and district taxes collected by him.

Having made the collection, each township collector was required to make final settlement with County Collector, reporting under oath, the amount of taxes collected and the amount and kind of property delinquent. The county collectors, in turn were required to make a final settlement with the State Treasurer and the County Board of Commissioners.

¹
By an act of 1873 it was provided that the collector in counties not under township organization should not be required to call upon the person liable for taxes but should only be required to give notice in three public newspapers published in the county if any newspapers were published in the county, and post notices in each precinct, stating when and where he would attend in the precinct for the purpose of receiving taxes.

Though no similar provision has been made for counties under township organization it has, nevertheless, become customary for the collector not to call upon the individual taxpayer but merely to give notice of the collection in a number of newspapers.

As to the differences in method of collection of various taxes, the law of 1872 provided that all taxes, state, county, city,

1. Laws of Ill. - 1873 - p. 52.

town, village, township and district, with two exceptions, were to be collected in the same manner, viz., by the township collector where such existed and by the County Collector or his deputies in counties not having township organization.

The exceptions referred to, were the taxes levied on "Railroad Track" , "Rolling Stock", the capital stock of railroad and the capital stock of telegraph and telephone companies. These were to be collected directly by the County Collector, and by him paid over to the proper official.¹

Time of collection,-

Under the act of 1872, the county clerks were to deliver the collection books to the town or district collectors on or before December 10th,² and the collectors were to return them to the County Collector on or before February 1st.³ The County Collector was required to make his statement to the County Clerk showing the amounts collected by him and by district and town collectors, on or before February 28th (the 10th of April after 1873). He was also required to pay over to the State Treasurer and the proper officials of all municipal corporations on or before March 5th (the 15th of April after 1873) all the taxes collected and held by him. The final settlement of the County Collector with the County Clerk was to be made on or before the third Monday of June,⁴ and the final settlement with

1. Laws of Ill. - 1872 - pp. 16 and 17.
2. Laws of Ill. - 1872 - p. 34.
3. Laws of Ill. - 1872 - p. 42.
4. Laws of Ill. - 1872 - p. 55.

the State Treasurer was to be made on or before July 1st.

From 1872, there were no changes made in the time until¹ 1881. It was then provided that the collection books should be delivered to the town and district collectors by December 20th, and that the books should be returned to the County Collector by March 10th. From 1881 to 1898, no change was made, but in the last mentioned year that the collection books should be delivered to the ~~to~~ town and district collectors on January 10th. As to all the other dates it was provided that they should be so changed as to correspond in time with the change in the time of assessment and the delivery of the tax books.

The only change made since 1898 was made in 1907,³ when it was provided that the tax books should be delivered on January 2nd.

Taxes lien on property,-

By the law of 1872,⁴ the taxes assessed upon real property were to be a lien thereon from and including May 1st (April 1st after⁵ 1898), and taxes assessed on personal property were to be lien thereon from the time the collector received the collection books from the County Clerk.⁶ By an act of 1881 it was provided that the taxes including interest, costs, etc. were to be the first lien upon

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1. Laws of Ill. - 1881 - p. 130 and 131.
 2. Laws of Ill. - 1898- p. 52.
 3. Laws of Ill. - 1907 - p.500.
 4. Laws of Ill. - 1872 - p. 59.
 5. Laws if Ill. - 1898 - p. 53 (extra session).
 6. Laws of Ill. - 1881 - p. 130.

property having priority over all other incumbrances.

By the act of 1872, it was further provided that the personal property was to be liable for the taxes levied on real estate but that real estate should only be liable for such personal property taxes as could not be collected on account of the removal of the owner or on account of insolvency.

Tho this has been the law ever since 1872, it appears that personal property has not been held liable for real property taxes in practice.¹ Real property, however, has been held liable according to law.

Sale of personal property for taxes,-

The law of 1872² provided that, in case any person should refuse or neglect to pay his personal property tax, it would be the duty of the collector to levy the same by distress and sale of the person's goods and chattels. Before proceeding to sell the goods, the collector was required to give five day's notice, by publicly announcing the proposed sale by means of posted notices. The sale was to be by public auction and no more property was to be sold than was sufficient to pay the tax and charges. Altho this law is still on the statute books it appears that in some counties at least,³ it is not carried out, and that the collector, instead, reports all such delinquencies, the same as he reports delinquent real property.⁴

Since 1881,⁴ the law has authorized the County Board to

1. This information was obtained thru a personal interview
with a tax official.

2. Laws of Ill. - 1872 - p. 39. 3. Same as 1.

4. Laws of Ill. - 1881 - p. 129.

institute suit for recovery of the tax on personal property which has become delinquent.

Judgment and sale of real property,-

The provisions of the act of 1872 relative to the judgment and sale of real property for taxes have remained practically unchanged up to the present time. Under the provisions of this act, real property was to be deemed delinquent whenever any taxes for which it was liable should remain due after February 1st. With respect to the time, a change was made in 1898. Since then March 10th has been substituted for February 1st.²

Whenever any land becomes delinquent in the manner referred to, it is the duty of the County Collector to give public notice, at any time after the 1st of April of the intended application for judgment and sale of such land.³

This public notice must be made in some newspaper published in the county, otherwise in some newspaper of a neighboring county. If any person, owning or claiming the land, advertised for sale, should desire to redeem the land before the sale, he will be allowed to do so by paying the taxes on the land together with interest and costs.

When an application for judgment and sale has been made, and the land in question has not been redeemed, it is left to the County Judge to decide whether the application should be granted or

1.Laws of Ill. - 1872 - p. 43.

2.This information was secured thru a personal interview.

3.Laws of Ill. - 1872 - p. 44.

not. If the Judge does not grant the application, the proceedings are dropped, but if he grants it, the land is sold unless an appeal is taken to a higher court.

By the act of 1872,¹ an appeal could be made to the Circuit Court, and by an act of 1875² it was provided that an appeal could be made to the Supreme Court. Before an appeal can be made, the person making such appeal must deposit with the County Clerk an amount equal to the judgment plus the costs. While the appeal is pending, no taxes can be collected upon the property.

If the County Court grants the application for judgment, and if no appeal is taken, or if taken, not granted, the County Collector is required to sell the land at a public sale of which due notice must be given.

By the act of 1872³ it was provided that the person at such sale who offered to pay the amount due on each tract or lot for the least quantity thereof was to be the purchaser of such quantity, the same to be taken from the East side of the tract or lot. By an act of 1895,⁴ it was provided that the person at such sale who offered to pay the amount due on each tract or lot for the least percentage thereon as penalty should be the purchaser of such tract or lot; provided that no bid should be accepted for a penalty exceeding 25% of the amount of the tax. This provision is still in force, but as

1. Laws of Ill. - 1872 - p. 47.
2. Laws of Ill. - 1875 - p. 37.
3. Laws of Ill. - 1872 - p. 49.
4. Laws of Ill. - 1895 - p. 299.

it works out in actual practice the full penalty of 25%¹ is imposed in pretty nearly every case since the professional buyers mutually agree not to bid any lower than 25%.

Redemption,-

When real property has been sold for taxes at a public sale or when forfeited property has been sold by the authorized officials, two years must intervene according to the provisions of the constitution, before the purchaser may receive a deed for the same. During this period, the owner is at liberty to redeem the land sold by paying the amount for which the land was sold; the taxes accrued since the sale and interest thereon, and the penalty provided by law.

By the act of 1872,² this penalty was 25% of the amount for which the land was sold if redeemed within six months; 50% if redeemed between six and twelve months; 75% if between twelve and eighteen months and 100% if between eighteen months and two years. The interest charged by this act was 10%.³ By an act of 1895, it was provided that the penalty should be whatever the purchaser had bid at the sale which could in no case exceed 25%. If redeemed within six months after the sale the person redeeming the land would only be required to pay the penalty: if between six and twelve months, double the penalty; if between twelve and eighteen months, three times the penalty, and if between eighteen months and two years, four times the penalty. Since, however,

1. The writer was informed by a tax official that this is a customary practice.

2. Laws of Ill. - 1872 - p. 50.

3. Laws of Ill. - 1895 - p. 299.

the penalty has uniformly been 25%, it follows that the later act has in practice been the same as the former. The only actual change is in the interest charged on accrued taxes which under the later act is only 7%.

If upon the expiration of two years, the land has not been redeemed, and the purchaser of the land has endeavored according to the provisions of the law to give the owner due notice of the expiration of the time, it becomes the duty of the proper officials to give the purchaser a tax deed to the land. After the tax deed has been properly granted it is no longer possible to redeem the land.

It is necessary to note in this connection that special provisions have been made for minors, heirs, idiots, insane people¹ and the like.

Property forfeited to the state for taxes,-

²
The law of 1872, specified that all delinquent lands or lots offered for sale and not sold for want of a bidder, should be thereby forfeited to the state. This has also continued to be the law up to the present time.

When any lands or lots had thus been forfeited to the state it was further provided that the County Clerk should keep a record thereof. Should any person desire to redeem or purchase any tract or lot of forfeited land, he is required to apply to the County Clerk who is authorized to sell or permit the redemption of the

1. Laws of Ill. - 1872 - p. 50.

2. Laws of Ill. - 1872 - p. 54.

property, provided the sum received in payment, is at least equal to the total amount of taxes, interest, etc. due thereon plus 10% of the amount as penalty. Property thus purchased is subject to redemption, notice, etc. the same as if sold at a regular public tax sale. Since 1872 the sum to be added to the amount of taxes, interest, etc. has been raised from 10% to 25%¹.

In case the forfeited property is not sold the law of 1872 provides that the taxes for the succeeding year shall be added to the amount due and the forfeited land submitted to sale again the following year. Such additions and sales are to be continued from year to year until the taxes on such property are paid by sale or otherwise. In 1881², this provision was made largely nominal, by an enactment empowering the County Judge, Clerk and Treasurer to sell such forfeited land whose value did not exceed the amount due thereon, to the highest bidder. Under the law of 1872, the County Board was empowered to institute suit in an action of debt in any court of competent jurisdiction for the amount due on forfeited property and in 1881³ this power was extended to the city, town, school district or other municipal corporations.

Refunding,-

By the act of 1872⁴, the county board of commissioners are authorized to refund such taxes as have been erroneously paid a

1. Laws of Ill. - 1879 - p. 254.
2. Laws of Ill. - 1881 - p. 137.
3. Laws of Ill. - 1881 - p. 129.
4. Laws of Ill. - 1872 - p. 60.

second time. The board, however, has no authority to refund taxes on any other ground than double assessment. If it is a question as to an excessive assessment or as to whether or not property is subject to taxation, this question must be determined thru the County Board of Review or thru the courts.¹ A tax voluntarily paid cannot be recovered even tho the statutes imposing the tax are later declared to be unconstitutional.²

Abatements,-

Because of lack of data, it is not possible to show what percent of the total taxes, charged on the tax books, fails to enter the treasuries of the various taxing bodies on account of errors, insolvencies, forfeitures, commissions and injunctions against collection.

The following table, however, will show the abatements on State taxes and the ratio which the abatements bear to the total state taxes as charged on the tax books. Tho this table will only show the ratio as regards the State tax, it may, nevertheless, be inferred that the ratio of all the other taxes does not differ materially from the ratio of the State tax.

1. Opinion of States Att'y Gen. Report 1903-1904, p. 451.
2. Sup. Court Rep. 202 - Ill. - 202.

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Table showing abatements on the State tax, including errors, insolvencies, forfeitures, commissions, etc., also all State taxes enjoined from collection.

Year.	Percent of Tax Charged.		Year.	Percent of Tax Charged.	
1872	\$418,979	.1060	1889	\$154,663	.0540
1873	1,261,165	.2500	1890	151,415	.0560
1874	862,055	.2500	1891	137,956	.0545
1875	942,249	.2370	1892	129,748	.0495
1876	849,835	.2350	1893	151,060	.0565
1877	836,745	.2000	1894	138,405	.0530
1878	697,807	.1930	1895	190,780	.0435
1879	494,709	.1820	1896	211,860	.0465
1880	361,481	.1125	1897	256,058	.0481
1881	324,559	.0795	1898	225,937	.0510
1882	250,203	.0860	1899	212,896	.0521
1883	214,082	.0779	1900	195,994	.0476
1884	225,650	.0760	1901	394,957	.0755
1885	245,865	.0750	1902	347,438	.0800
1886	182,152	.0627	1903	418,427	.0715
1887	217,758	.0540	1904	415,904	.0675
1888	167,914	.0475	1905	423,758	.0760

1. The figures from which these percentages are derived, were taken from the Reports of the State Auditor.

Taxes (including back taxes) charged on the tax books for
¹
each year since 1871.

Year.	State.	County.	City.	School Tax.
1872	\$3,947,014	\$5,168,667	\$1,400,656	
1873	5,023,609	5,533,091	1,583,942	
1874	3,440,477	6,015,388	1,450,086	
1875	3,966,596	6,438,787	6,995,662	
1876	3,610,997	5,829,492	6,964,125	
1877	4,185,661	5,890,955	6,998,291	
1878	3,614,855	5,557,455	7,576,882	
1879	2,712,635	4,730,094	6,182,419	
1880	3,202,289	4,649,734	5,615,292	
1881	4,067,060	4,134,805	5,967,522	
1882	3,098,013	4,661,480	6,789,455	
1883	2,748,111	5,152,587	6,912,659	
1884	2,965,449	5,384,160	7,512,264	
1885	3,485,083	5,024,406	7,383,462	
1886	2,889,479	4,875,888	7,628,470	
1887	4,318,959	4,847,963	8,096,316	
1888	3,526,608	4,807,655	8,238,602	
1889	3,075,600	5,048,138	8,902,086	
1890	2,974,240	4,737,649	12,325,827	
1891	2,768,028	5,108,454	12,943,851	
1892	2,626,057	5,320,589	9,252,773	\$12,720,215
1893	2,673,669	5,540,681	9,069,499	13,346,592
1894	2,615,747	5,595,129	9,342,373	13,841,200
1895	4,375,551	5,745,687	9,695,979	15,976,235
1896	4,542,062	5,644,600	9,577,051	14,377,925
1897	5,316,764	5,673,006	9,847,804	15,088,241
1898	4,411,601	5,661,989	9,726,412	14,729,239
1899	4,059,769	6,414,367	9,682,520	16,221,386
1900	4,102,180	6,179,195	10,972,543	19,226,721
1901	5,209,765	6,939,515	11,258,556	19,053,561
1902	4,314,746	6,620,791	10,908,034	17,740,683
1903	5,852,493	7,019,554	11,309,709	19,197,491
1904	6,157,490	6,964,072	11,056,022	20,859,777
1905	5,568,310	8,177,625	12,404,379	21,608,215

1. Table continued on next page.

(Table continued)

Year.	Town, Dist. and Local Taxes.	Registered Bond Fund Tax.	All Other Taxes.	Total Tax.
1872	\$9,305,282			\$19,821,620
1873	9,823,178			21,963,821
1874	10,639,461			21,545,413
1875	11,606,414			29,007,461
1876	10,517,682	\$1,767,179		28,689,477
1877	11,586,312	1,589,121		30,245,342
1878	10,941,658	1,506,517		29,197,358
1879	9,237,950	1,396,180		24,259,281
1880	9,715,189	1,350,821		24,533,326
1881	9,417,411	1,408,056		24,994,856
1882	9,769,959	1,463,495		25,781,404
1883	11,826,099	1,423,583		28,063,040
1884	10,630,026	1,492,078		27,983,979
1885	12,017,757	1,535,220		29,445,931
1886	11,996,523	1,571,817		28,952,179
1887	12,250,129	1,464,973		30,978,341
1888	12,260,252	1,637,865		30,470,983
1889	12,360,093	1,435,025		30,820,943
1890	12,325,827	1,364,285		33,991,708
1891	12,795,260	1,425,158		36,040,754
1892		1,454,367	\$7,672,628	39,046,630
1893		1,332,645	8,108,071	40,071,159
1894		1,411,119	7,935,933	40,731,503
1895	Road and	1,279,035	10,474,390	47,546,879
1896	Bridge Tax.	1,131,607	10,564,701	45,834,948
1897		1,116,367	10,094,906	47,137,090
1898	2,746,152	1,168,098	7,469,777	45,913,271
1899	3,038,069	1,048,607	8,824,415	49,289,137
1900	2,780,890	984,411	5,994,988	50,240,931
1901	3,245,800	859,600	6,446,135	53,012,935
1902	3,381,588	848,907	7,072,331	50,887,083
1903	3,773,868	847,060	8,674,908	56,675,087
1904	3,881,068	863,453	9,670,541	59,452,426
1905	4,099,451	768,852	10,074,245	62,701,081

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Appendix.

The articles and sections of the constitutions of 1818, 1848 and 1870 relating to the general property tax.

Constitution of 1818,

Art. VIII, Sec. 20.

The mode of levying a tax shall be by valuation so that every person shall pay a tax in proportion to the value of the property he or she has in his or her possession.

Constitution of 1848,

Art. IX,

Sec. 2.- The General Assembly shall provide for levying a tax by valuation so that every person and corporation shall pay a tax in proportion to the value of his or her property; such value to be ascertained by some person or persons to be appointed in such manner as the general assembly shall direct and not otherwise; but the general assembly shall have power to tax pedlars, auctioneers, brokers ----- etc.

Sec. 3.- The property of the State and counties both real and personal and such other property as the general assembly may deem necessary for school, religious and charitable purposes may be exempted from taxation.

Sec. 4.- Hereafter no purchase of any land or town lot, at any sale of lands or town lots for taxes due, either to this state or any county, or incorporated town or city within the same, or at any sale for taxes or levies authorized by the laws of this state, shall be entitled to a deed for the lands or town lots so

purchased, until he or she shall have complied with the following conditions, to wit: Such purchaser shall serve, or cause to be served, a written notice of such purchase on every person in possession of such land or town lot, three months before the expiration of the time of redemption on such sale; in which notice he shall state when he purchased the land or town lot, the description of the land or lot he has purchased, and when the time of redemption will expire. In like manner he shall serve on the person or persons in whose name or names such land or lot is taxed, a similar written notice if such person or persons shall reside in the county where such land or lot is situated; and -----.

Sec. 5.- The corporate authorities of counties, townships, school districts, cities, towns, and villages may be vested with power to assess and collect taxes for corporate purposes; such taxes to be uniform in respect to persons and property within the jurisdiction of the body imposing the same. And the General Assembly shall require that all the property within the limits of municipal corporations, belonging to individuals shall be taxed for the payment of debts contracted under authority of law.

Sec. 6. - The specification of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other objects or subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this constitution.

Constitution of 1870,

Art. IX,

Sec. 1. - The General Assembly shall provide such revenue as may be needful, by levying a tax, by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property - such value to be ascertained by some person^{or} persons, to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise; but the General Assembly shall have power to tax pedlars, auctioneers, -----, in such manner as it shall from time to time direct by general law, uniform as to the class upon which it operates.

Sec. 2.- The specification of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other subjects or objects to be taxed in such manner as may be consistent with the principle of taxation fixed in this constitution.

Sec. 3.- The property of the State, counties and other municipal corporations, both real and personal, and such other property as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, may be exempt from taxation; but such exemption must be by general law. In the assessment of real estate incumbered by public^{any depreciation occasioned by such easement} easement, may be deducted in the valuation of such property.

Sec. 4.- The General Assembly shall provide, in all cases where it may be necessary to sell real estate for the non-payment of taxes or special assessments, for state, county, municipal or other purposes, that a return of such unpaid taxes or assessments

shall be made to some general officer of the County having authority to receive taxes: and there shall be no sale of said property for any of said taxes or assessments but by said officer, upon the order or judgment of some court of record.

Sec. 5.-The right of redemption from all sales of real estate, for the non-payment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. And the General Assembly shall provide, by law, for reasonable notice to be given to the owners or parties interested, by publication or otherwise, of the fact of the sale of the property for such taxes or assessments, and when the time of redemption shall expire; Provided, that occupants shall in all cases be served with personal notice before the time of redemption expires.

Sec. 6.- The General Assembly shall have no power to release or discharge any county, city, township, town or district whatever, or the inhabitants thereof, or the property therein, from their or its proportionate share of the taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

Sec. 7.- All taxes levied for State purposes shall be paid into the State Treasury.

Sec. 8.- County authorities shall never assess taxes, the aggregate of which shall exceed seventy-five cents per one hundred dollars valuation, except for the payment of indebtedness existing at the adoption of this constitution, unless authorized by a vote of the people of the County.

Sec. 9.- The General Assembly may vest the corporate authorities of cities, towns and villages, with power to make local improvements by special assessment or by special taxation of contiguous property, or otherwise. For all other corporate purposes all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform, in respect to persons and property within the jurisdiction of the body imposing the same.

Sec. 10.- The General Assembly shall not impose taxes upon the municipal corporations, or the inhabitants or property thereof, for corporate purposes: but shall require that all the taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law, such taxes to be uniform in respect to persons and property within the jurisdiction of the body imposing the same. Private property shall not be liable to be taken or sold for the payment of the corporate debts of a municipal corporation.

Sec. 12.- No county, city, township, school district or other municipal corporation, shall be allowed to become indebted in any manner or for any purpose to an amount, including existing indebtedness, in the aggregate, exceeding five percentum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness. Any county, city, school district or other municipal corporation, incurring any indebtedness, as aforesaid, shall before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on

such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same.

V I T A.

The writer of this thesis, Arthur Emil Swanson, was born In De Kalb, Ill., Jan. 16, 1885. He attended the public schools of that city, and prepared for college at Augustana Academy in Rock Island, Illinois. He was graduated from Augustana College of that city in 1908 with the degree of A. B. In the academic year 1908-1909, he held a scholarship in Economics at the University of Illinois.

SEE ASSESSOR'S NOTICE ON THE BACK OF THIS SHEET

Before Commencing to Fill Out this Schedule, Read Carefully the INSTRUCTIONS TO PERSONS LISTING; and the Extracts from the REVENUE LAW Printed on the Reverse of This Sheet.

A schedule of the numbers, amounts, quantity and quality of all Personal Property in the possession or under

the control of.....belonging to.....

Assessor.....

If you own personal property liable to taxation in more than one town or school district (except property in the hands of agents, and to be listed by them), make separate schedules of such property, according to location.

If you have property liable to tax within the limits of an incorporated village or city, state in schedule the name of such village or city; and if you have, also, personal property liable to tax lying outside such limits, make a separate schedule thereof, even if it be in the same school district.

Be especially careful to state correctly the school district in which you are liable to tax.

If you own live stock or other personal property connected with a farm not situated in the town or school district in which you reside, make separate schedule of said property as of the town and district in which said farm is situated. If as administrator, guardian, trustee, agent, etc., you are required to list property in behalf of others, make a separate schedule of such property.

Be careful to append, in the space for this purpose provided, such description of each item listed as will enable the Assessor to fix its fair cash value.

SEE ASSESSOR'S NOTICE ON THE BACK OF THIS SHEET

Before Commencing to Fill Out this Schedule, Read Carefully the INSTRUCTIONS TO PERSONS LISTING; and the Extracts from the REVENUE LAW Printed on the Reverse of This Sheet.

A schedule of the numbers, amounts, quantity and quality of all Personal Property in the possession or under the control of.....belonging to.....

on the first day of April, 1909 as listed by.....of the Town ofin the County of Champaign, and State of Illinois.

Town of.....School District.....T.....R.....Village (or City) of.....

To be Filled by Person or Persons Required to List Personal Property.			Schedule No.	4	5	6
1	2	3				
No.	Full Fair Cash Value	Quality and Quantity, Description, Memoranda as to Quality, Face Value, etc.		ITEMS OF PROPERTY	Full Fair Cash Value (as determined by Assessor)	Assess'd Value One-fifth of Fair Cash Value
			1	Horses of all ages.....		
			2	Cattle of all ages.....		
			3	Mules and Asses of all ages.....		
			4	Sheep of all ages.....		
			5	Hogs of all ages.....		
			6	Steam Engines, including Boilers.....		
			7	Fire or Burglar Proof Safes.....		
			8	Billiard, Pigeon-Hole, Bagatelle, or other sm'lr tables.....		
		State which.....	9	Carriages, Wagons or Automobiles of whatsoever kind.....		
			10	Watches and Clocks.....		
			11	Sewing and Knitting Machines.....		
			12	Piano Fortes.....		
			13	Melodeons and Organs.....		
		Yearly Gross Income, \$.....	14	Franchises.....		
		Yearly Gross Income, \$.....	15	Annuities and Royalties.....		
			16	Patent Rights.....		
			17	Steamboats, Sailing Vessels, Wharf Boats, Barges or other Water Craft.....		
			18	Merchandise on hand.....		
			19	Material and Manufactured Articles on hand.....		
			20	Manufacturers' Tools, Implements & Machinery (other than Engines and Boilers, which are listed as such).....		
			21	Agricultural Tools, Implements and Machinery.....		
			22	Gold and Silver Plate and Plated Ware.....		
			23	Diamonds and jewelry.....		
		Being the Net Am't as per Special Statement.....	24	Moneys of Bank, Banker, Broker or Stock Jobber.....		
		Being the Net Am't as per Special Statement.....	25	Credits of Bank, Banker, Broker or Stock Jobber.....		
			26	Moneys of other than Bank, Banker, Broker or Stock Jobber.....		
		Being the Net Am't as per Special Statement.....	27	Credits of other than Bank, Banker, Broker or Stock Jobber.....		
		Face Value being \$.....	28	Bonds and Stocks.....		
		Face Value being \$.....	29	Shares of Capital Stock of Companies and Associations not incorporated by the laws of this State.....		
		Being Amount as per Affidavit.....	30	Pawnbrokers' Property.....		
			31	Property of Companies and Corporations other than hereinbefore enumerated.....		
			32	Bridge Property.....		
			33	Property of Saloons and Eating Houses.....		
			34	Household or Office Furniture and Property.....		
			35	Investments in Real Estate and Improvements thereon (see Sec. 10).....		
			36	Grain on hand.....		
			37	All other Personal Property required to be listed.....		
			38	Shares of Stock of State and National.....		
				Totals.....		
		Dog.....				

I do solemnly swear that the foregoing is a full, complete and correct Schedule of all the Personal Property subject to taxation in the county, town, city, village and school district above mentioned, owned by me, or controlled by me as agent for on the first day of April, A. D. 1909, and which I am by law required to list; that the numbers, quantity, quality and amount of each item so listed are correctly stated; that the values of the several items of property, as by me stated (in Column No. 2) are the full fair cash values of the same, as I verily believe; that I have stated the full amount of my moneys and of my credits (less deductions authorized by law), and that I have correctly stated the full fair cash values, and the face values of all bonds, stocks, and shares of capital stock in companies or associations not incorporated by the laws of this State, by me owned or controlled.

.....Owner or Agent.
Remarks.....
(See Sec. 20, Act Approved Feb. 25, 1898)

Subscribed and sworn to before me, this.....day of.....1909
.....Assessor.

It is the duty of the Assessor, so far as possible, to question the person listing, and personally view the property.

SCHEDULE OF Personal Property,

OWNED OR CONTROLLED BY

FOR THE YEAR 1909

Town

School District.....

Village or City.....

ASSESSOR'S NOTICE

(See Sec. 17, Act Approved Feb. 25, 1898)

To.....

"This Schedule must be filled out, sworn to, and returned to me, in person or by mail at

on or before
You are to give a full fair cash value of the articles mentioned, as well as the amount of money required to be returned. Only one-fifth of the several amounts will be taken and assessed for the purpose of taxation"

Assessor.

NOTE—This Schedule is to be filed with the Board of Assessors or Supervisors of Assessments, and shall be preserved for at least two years.

(See Sec. 28, Act Approved Feb. 25, 1898)

PART OF SECTION 17 OF "AN ACT FOR THE ASSESSMENT OF PROPERTY, AND TO PROVIDE THE MEANS THEREFOR, AND TO REPEAL A CERTAIN ACT NAMED THEREIN," APPROVED FEB. 25, 1898.

"And every person required to list personal property or money shall fill out, subscribe and swear to, and return to the assessor, in person or by mail, at the time required, such schedule in accordance with law, giving the numbers, amounts, quantity and quality of all the articles enumerated in said schedule by him possessed, or under his control, required to be listed by him for taxation. The assessor shall determine and fix the fair cash value of all items of personal property, including all grain on hand, on the first day of April, and set down the same, as well as the amounts of notes, accounts, bonds and moneys, in a column headed "Full value," and ascertain and assess the same at one-fifth part thereof, and set down said one-fifth part thereof in a column headed "assessed value," which last amount shall be the assessed value thereof, for all purposes of taxation. The assessor or some person authorized by law to administer an oath, shall administer the oath required in this section."

Suggestions and Instructions to Persons Listing Personal Property

If you own personal property liable to taxation in more than one town or school district (except property in the hands of agents, and to be listed by them), make separate schedules of such property, according to location.

If you have property liable to tax within the limits of an incorporated village or city, state in schedule the name of such village or city; and if you have, also, personal property liable to tax lying outside such limits, make a separate schedule thereof, even if it be in the same school district.

Be especially careful to state correctly the school district in which you are liable to tax.

If you own live stock or other personal property connected with a farm not situated in the town or school district in which you reside, make separate schedule of said property as of the town and district in which said farm is situated. If as administrator, guardian, trustee, agent, etc., you are required to list property in behalf of others, make a separate schedule of such property.

Be careful to append, in the space for this purpose provided, such description of each item listed as will enable the Assessor to fix its fair cash value.

It is the duty of the Assessor, so far as possible, to question the person listing, and personally view the property.

SCHEDULE OF
Personal Property
OWNED OR CONTROLLED BY

FOR THE YEAR 1909

Town
School District.....
Village or City.....

ASSESSOR'S NOTICE

(See Sec. 17, Act Approved Feb. 25, 1898)

To.....
.....
"This Schedule must be filled out, sworn
and returned to me, in person or by mail at

.....
on or before.....
You are to give a full fair cash value of the article
mentioned, as well as the amount of money re-
quired to be returned. Only one-fifth of the se-
veral amounts will be taken and assessed for the
purpose of taxation"

.....
Assessor

NOTE—This Schedule is to be filed with the Board of
Assessors or Supervisors of Assessments, and shall be pre-
served for at least two years.

(See Sec. 28, Act Approved Feb. 25, 1898)

PART OF SECTION 17 OF "AN ACT FOR THE ASSESSMENT OF PROPERTY, AND TO PROVIDE
THE MEANS THEREFOR, AND TO REPEAL A CERTAIN ACT NAMED THEREIN," AP-
PROVED FEB. 25, 1898.

"And every person required to list personal property or money shall fill out, subscribe and swear to, and return to the assessor, in person or by mail, at the time required, such schedule in accordance with law, giving the numbers, amounts, quantity and quality of all the articles enumerated in said schedule by him possessed, or under his control, required to be listed by him for taxation. The assessor shall determine and fix the fair cash value of all items of personal property, including all grain on hand, on the first day of April, and set down the same, as well as the amounts of notes, accounts, bonds and moneys, in a column headed "full value," and ascertain and assess the same at one-fifth part thereof, and set down said one-fifth part thereof in a column headed "assessed value," which last amount shall be the assessed value thereof, for all purposes of taxation. The assessor or some person authorized by law to administer an oath, shall administer the oath required in this section."

See Extracts From Law on the Other Side of this Sheet.

Statement by

..... County, Illinois, as required by Sec. 30 of an

Act of the Legislature of the State of Illinois, entitled "An Act for the Assessment of Property and for the Levy and Collection of Taxes," approved March 30th, 1872.

	AMOUNT
FIRST—Money on hand or in transit,
SECOND—Funds in the hands of other banks, bankers, brokers and others, subject to draft,
THIRD—The amount of checks, or other cash items, the amount thereof not being included in either of the preceding items,
of Schedule)
Fifth Item,
Ninth Item (to be deducted from fifth Item)
Remainder to be listed as bonds and stocks, \$
Third Item,
Fourth Item,
Total,
Seventh Item,
Eighth Item,
Aggregate amount of the seventh and eighth (to be deducted from the second, third and fourth)
Amount remaining (to be listed as credits) (No. 25 of Schedule)

Moneys, \$; Credits, \$; Bonds and Stocks, \$

NOTE TO ASSESSORS—Item Six includes safes, office furniture, and all other personal property not herein enumerated, and should be distributed to the amount stated, to items 31, 34, 36, etc., of the regular Schedule.

See Extracts From Law on the Other Side of this Sheet.

Statement by

..... County, Illinois, as required by Sec. 30 of an
 Act of the Legislature of the State of Illinois, entitled "An Act for the Assessment of Property and for the
 Levy and Collection of Taxes," approved March 30th, 1872.

	AMOUNT
FIRST—Money on hand or in transit,
SECOND—Funds in the hands of other banks, bankers, brokers and others, subject to draft,
THIRD—The amount of checks, or other cash items, the amount thereof not being included in either of the preceeding items,
FOURTH—The amount of BILLS RECEIVABLE, discounted or purchased, and OTHER CREDITS due or to become due, including Accounts Receivable and interest accrued but not due, and interest due and unpaid,
FIFTH—The amount of BONDS AND STOCKS of every kind, and Shares of Capital Stock of Joint Stock or other Companies or Corporations held as an investment, or in any way representing assets,
SIXTH—All other property appertaining to said business other than real estate (which real estate is to be listed and assessed as other similar property is listed and assessed). (See foot note)
SEVENTH—The amount of all deposits made with them by other parties,
EIGHTH—The amount of all accounts payable, other than current deposit accounts,
NINTH—The amount of bonds or other securities, exempt by law from taxation, specifying the amount and kind of each, the same being included in the preceeding fifth item,

I,

..... do solemnly swear that the above statement is
 true according to the best of my knowledge and belief

Subscribed and sworn to before me, this,
 day of, 19.....

Assessor's Analysis Preparatory to Listing for Taxation.

First Item (to be listed as money) (No. 24 of Schedule)	Second Item, \$.....
.....	Third Item, \$.....
.....	Fourth Item, \$.....
.....	Total, \$.....
Fifth Item, \$.....	Seventh Item, \$.....
Ninth Item (to be deducted from fifth Item) \$.....	Eighth Item, \$.....
.....	Aggregate amount of the seventh and eighth (to be deducted from the second, third and fourth) \$.....
Remainder to be listed as bonds and stocks, \$.....	Amount remaining (to be listed as credits) (No. 25 of Schedule) \$.....

Moneys, \$.....; Credits, \$.....; Bonds and Stocks, \$.....

NOTE TO ASSESSORS—Item Six includes safes, office furniture, and all other personal property not herein enumerated, and should be distributed to
 the amount stated, to items 31, 34, 36, etc., of the regular Schedule.

STATEMENT

—OF—

Under Section 30.

19.....

EXTRACTS FROM REVENUE LAW

SEC. 30. Every bank (other than banks incorporated under the banking laws of this State or of the United States), banker broker or stock jobber, shall at the time fixed by this act for listing personal property, make out and furnish the assessor a sworn statement showing: First, the amount of money on hand or in transit. Second, the amount of funds in the hands of other banks, bankers, brokers or others, subject to draft. Third, the amount of checks or other cash items; the amount thereof not being included in either of the preceding items. Fourth, the amount of bills receivable, discounted or purchased, and other credits, due or to become due, including accounts receivable, and interest accrued but not due, and interest due and unpaid. Fifth, the amount of bonds and stock of every kind, and shares of capital stock or joint stock of other companies or corporations, held as an investment or any way representing assets. Sixth, all other property appertaining to said business, other than real estate (which real estate shall be listed and assessed as other real estate is listed and assessed under this act). Seventh, the amount of all deposits made with them by other parties. Eighth, the amount of all accounts payable other than current deposit accounts. Ninth, the amount of bonds and other securities exempt by law from taxation, specifying the amount and kind of each, the same being included in the preceding fifth item. The aggregate amount of the first item shall be listed as moneys.

The amount of the sixth item shall be listed the same as other similar personal property is listed under this act. The aggregate amount of the seventh and eighth items shall be deducted from the aggregate amount of the second, third and fourth items of said statement, and the amount of the remainder, if any, shall be listed as credit. The aggregate amount of the ninth item shall be deducted from the aggregate amount of the fifth item of such statement, and the remainder shall be listed as bonds or stocks.

BANK, BANKER, BROKER, STOCK-JOBBER, DEFINED—Sec. 292.
(3). Whoever has money employed in the business of dealing in coin, notes, or bills of exchange, or in the business of dealing in or buying or selling any kind of bills of exchange, checks, drafts, bank notes, promissory notes, bonds, or other writing obligatory, or stocks of any kind or description whatsoever, or receiving money on deposit.

STATEMENT

—OF—

.....

.....

Under Section 30.

19.....

EXTRACTS FROM REVENUE LAW

SEC. 30. Every bank (other than banks incorporated under the banking laws of this State or of the United States), banker broker or stock jobber, shall at the time fixed by this act for listing personal property, make out and furnish the assessor a sworn statement showing: First, the amount of money on hand or in transit. Second, the amount of funds in the hands of other banks, bankers, brokers or others, subject to draft. Third, the amount of checks or other cash items; the amount thereof not being included in either of the preceding items. Fourth, the amount of bills receivable, discounted or purchased, and other credits, due or to become due, including accounts receivable, and interest accrued but not due, and interest due and unpaid. Fifth, the amount of bonds and stock of every kind, and shares of capital stock or joint stock of other companies or corporations, held as an investment, or any way representing assets. Sixth, all other property appertaining to said business, other than real estate (which real estate shall be listed and assessed as other real estate is listed and assessed under this act). Seventh, the amount of all deposits made with them by other parties. Eighth, the amount of all accounts payable other than current deposit accounts. Ninth, the amount of bonds and other securities exempt by law from taxation, specifying the amount and kind of each, the same being included in the preceding fifth item. The aggregate amount of the first item shall be listed as moneys.

The amount of the sixth item shall be listed the same as other similar personal property is listed under this act. The aggregate amount of the seventh and eighth items shall be deducted from the aggregate amount of the second, third and fourth items of said statement, and the amount of the remainder, if any, shall be listed as credit. The aggregate amount of the ninth item shall be deducted from the aggregate amount of the fifth item of such statement, and the remainder shall be listed as bonds or stocks.

BANK, BANKER, BROKER, STOCK-JOBBER, DEFINED—SEC. 292, (3). Whoever has money employed in the business of dealing in coin, notes, or bills of exchange, or in the business of dealing in or buying or selling any kind of bills of exchange, checks, drafts, bank notes, promissory notes, bonds, or other writing obligatory, or stocks of any kind or description whatsoever, or receiving money on deposit.

Schedule of Personal Property owned by _____ County
of Champaign, State of Illinois, on the first _____

ON WHAT LINE OF RAILROAD	Property is Taxable in School District No.	Proper	Total Full Cash Value of Pers'al Prop.	Total Assessed Value Persoal Property	ASSESSOR'S REMARKS
--------------------------	--------------------------------------------------	--------	----------------------------------------------	---------------------------------------------	--------------------

STATE OF ILLINOIS }
CHAMPAIGN COUNTY } ss.

I, _____, do hereby certify that to the best of my knowledge and belief, the foregoing is a true and complete schedule of all personal property owned or controlled by said Company, subject to the assessment of the State of Illinois, and that the value of the several items of property as above stated, are the fair cash value of the same as of the first day of April, 19____.

Subscribed and sworn to before me this _____

_____*Owner.

_____*Agent.

_____*Assessor.

STATE OF ILLINOIS }
CHAMPAIGN COUNTY } ss.

I hereby certify that to the best of my knowledge and belief, the foregoing is a true and complete schedule of all personal property owned or controlled by said Company, subject to the assessment of the State of Illinois, and that the value of the several items of property as above stated, are the fair cash value of the same as of the first day of April, 19____.

the property belonging to the above

_____*Assessor.

* Erase as case requires.

NOTE — Assessors will please fill out above blanks as to school district or village the same as any other personal property, and the assessing is to be done by the assessor,

school district or village the same as any other

* TELEPHONE } SCHEDULE TELEGRAPH }

Schedule of Personal Property owned by the _____ }
 _____ } *Telephone
 _____ } Telegraph } Company, Township of _____ County
 of Champaign, State of Illinois, on the first day of April, 19____

[illegible]

STATE OF ILLINOIS }
CHAMPAIGN COUNTY } ss. I, _____ of the above named Company, being duly sworn, do depose and say that the foregoing is a full and complete schedule of all personal property owned or controlled by said Company, subject to taxation in the county, town, city, village, and school districts above mentioned, on the first day of April, 19____, and that the value of the several items of property as above stated, are the fair cash values as I verily believe.

Subscribed and sworn to before me this _____ day of _____ 19____

STATE OF ILLINOIS }
CHAMPAIGN COUNTY } ss. I hereby certify that to the best of my knowledge and belief, the foregoing schedule contains a full and complete statement of all of the property belonging to the above
named Telephone } Company on the first day of April, 19____.
Telegraph }

* Erase as case requires.

NOTE — Assessors will please fill out above blanks as to school district, or village or city, or both, as the case requires. Telephone or telegraph property is to be assessed in its proper school district or village the same as any other personal property, and the assessing is to be done by the assessor, use separate schedule for each company.

day of _____

19____

Subscribed and sworn to before me, this _____

DEDUCTIONS FROM CREDITS

CLAIMED BY AND ALLOWED TO

Town of _____

19_____

These statements and affidavits must be alphabetically arranged, and upon return of the Assessment Books, filed with the County Clerk, to be kept on file in his office for two years, and at the expiration of such time, destroyed by said Clerk.

CREDITS DEFINED.—SEC. 292.

Every claim or demand for money, labor, interest, or other valuable thing, due or to become due, not including money on deposit.

NOTE.—Bonds and stocks are to be listed as such—28th item of Schedule—the 25th and 28th Sections of the Revenue Law excluding them from being treated or listed as credits.

PANTAGRAPH P. & S. CO. BLOOMINGTON, ILL.

EXTRACTS FROM THE REVENUE LAW.

SEC. 20. Persons, for themselves or others, holding bonds or stocks of any kind, the principal of which bonds or stocks has been or may hereafter be exempted from taxation, shall list the amount of accrued interest on such bonds, without regard to the time when the same is to be paid.

SEC. 21. Where a deed for real estate is held for the payment of a sum of money, such sum so secured, shall be held to be personal property, and shall be listed and assessed as credits.

SEC. 27. In making up the amount of credits which any person is required to list for himself, or for any other person, company, or corporation, he shall be entitled to deduct from the gross amount of credits, the amount of all *bona fide* debt owing by such person, company, or corporation, to any other person, company, or corporation, for a consideration received; but no acknowledgment of indebtedness not founded on actual consideration, believed when received to have been adequate, and no such acknowledgment made for the purpose of being so conducted shall be considered a debt within the meaning of this section; and so much only of any liability as surety for others shall be deducted as the person making out the statement believes he is legally and equitably bound and will be compelled to pay on account of the inability or insolvency of the principal debtor; and if there are other sureties who are able to contribute, then only so much as the surety in whose behalf the statement is made will be bound to contribute. *Provided*, that nothing in this section shall be so construed as to apply to any bank, company, or corporation exercising banking powers or privileges, or to authorize any deduction allowed by this section from the value of any other item of taxation than credits.

SEC. 28. No person, company, or corporation shall be entitled to any deduction from the amount of any bonds, stocks or money loaned, or on account of any bond, note, or obligation of any kind, given to any insurance company on account of premiums or policies nor

AUDITOR'S FORM NO. 2.

See extracts from Revenue Law on reverse of the sheet

CERTIFICATE OF INDEBTEDNESS (for deductions from Credits) Secs. 27 and 28, Revenue Law.

STATEMENT OF CREDITS and the authorized DEDUCTIONS therefrom as made by _____
 of _____ County of _____ and State of Illinois, _____
 in behalf of _____ and for the purpose of determining the amount
 of credits to be listed by _____ for taxation for the year 19____ said statement being made with
 reference to credits owned and bona fide debts owing on the first day of April in the said year.

NOTE—Bonds and stocks are not to be listed as credits. No deductions are permitted from credits for money loaned, or from bonds or stocks.

DETAILED MEMORANDA (For Convenience of Persons Listing)		DOLLARS.	Cts.
CREDITS.			
Amounts due or to become due, from other Persons, Companies, or Corporations.	(a) Notes (other than for money loaned,)		
	(b) Accounts,		
	(c) Money secured by deed for Real Estate (other than as security for money loaned.) (See Sec. 21.)		
	(d) Interest accrued but not due. (See Sec. 20.)		
	(e) Interest due and unpaid,		
	(f) Rents accrued but not due,		
	(g) Rents due and unpaid,		
	(h) Payable in labor or service of any kind, (current price,)		
Amount of every other claim or demand for money or other valuable things, (not including money loaned or on deposit, or bonds, or stocks,)			
TOTAL CREDITS,			
DEDUCTIONS.			
Amount of bona fide debts owing to Per- sons, Companies, or Corporations for a consideration received	(a) Notes,		
	(b) Accounts,		
	(c) Interest accrued, but not due,		
	(d) Interest due and unpaid,		
	(e) Rents accrued, but not paid,		
	(f) Rents due and unpaid,		
	(g) Payable in labor or service (current price,)		
	(h) Proportion certain to pay as security for others,		
Amount of all other bona fide indebtedness, not excluded from being deducted by Sections 27 and 28 of the Revenue Law,			
Total deductions authorized by law,			
Net credits other than money loaned,			
Add whole amount of money loaned (from which no deductions are permitted,)			
*Net amount of credits April 1, 19____, to be entered for taxation for the year 19____, as the 27th item in the Schedule of Personal Property,			

*In case the deductions equal or exceed the gross credits as above stated, only the amount of money loaned, if any, is to be listed as credits.

STATE OF ILLINOIS, }

County, }

The undersigned _____

being duly sworn, deposes and says that on the first day of April 19____ there were bona fide debts owing by
 _____ founded on an actual consideration believed when received to be adequate

to the amount of _____
 Dollars; that no part of said indebtedness was made or acknowledged for the purpose of reducing the amount of credits
 by him listed for taxation; that such part of said indebtedness as consists of any liability as surety for others includes
 only so much of such liability as he believes that he is legally and equitably bound and will be compelled to pay on ac-
 count of the inability or insolvency of the principal debtor, exclusive of what other sureties are bound and able to con-
 tribute; that the indebtedness above stated does not include any bond, note, or obligation of any kind given to any
 Insurance Company on account of Premiums or Policies, nor any unpaid subscription to any religious, literary, scientific,
 or charitable institution or society, nor on account of any subscription to or installment payable on the capital stock of
 any Company, whether incorporated or unincorporated; that the whole amount due or to become due from other persons,
 companies, or corporations to _____

for money loaned, was on the first day of April, 19____,
 Dollars, and that no portion of said amount is included in the amount of gross credits from which bona fide debts are
 deducted, as noted in the above detailed statement.

Subscribed and sworn to before me, this

day of _____ 19____

Assessor.

DEDUCTIONS FROM CREDITS

CLAIMED BY AND ALLOWED TO

Town of

19.....

These statements and affidavits must be alphabetically arranged, and upon return of the Assessment Books, filed with the County Clerk, to be kept on file in his office for two years, and at the expiration of such time, destroyed by said Clerk.

CREDITS DEFINED.—SEC. 292.

Every claim or demand for money, labor, interest, or other valuable thing, due or to become due, not including money on deposit.

NOTE.—Bonds and stocks are to be listed as such—25th item of Schedule—the 25th and 28th Sections of the Revenue Law excluding them from being treated or listed as credits.

PANTAGRAPH P. & S. CO. BLOOMINGTON, ILL.

EXTRACTS FROM THE REVENUE LAW.

SEC. 20. Persons, for themselves or others, holding bonds or stocks of any kind, the principal of which bonds or stocks has been or may hereafter be exempted from taxation, shall list the amount of accrued interest on such bonds, without regard to the time when the same is to be paid.

SEC. 21. Where a deed for real estate is held for the payment of a sum of money, such sum so secured, shall be held to be personal property, and shall be listed and assessed as credits.

SEC. 27. In making up the amount of credits which any person is required to list for himself, or for any other person, company, or corporation, he shall be entitled to deduct from the gross amount of credits, the amount of all *bona fide* debt owing by such person, company, or corporation, to any other person, company or corporation, on account of a consideration received; but no acknowledgment of indebtedness being conducted shall be considered a debt within the meaning of this section, and no such acknowledgment made for the purpose of being deducted as the person making out the statement believes he is legally and equitably bound and will be compelled to pay on account of the inability or insolvency of the principal debtor; and if there are other sureties who are able to contribute, then only so much as the surety in whose behalf the statement is made will be bound to contribute. *Provided*, that nothing in this section shall be so construed as to apply to any bank, company, or corporation exercising banking powers or privileges, or to authorize any deduction allowed by this section from the value of any other item of taxation than credits.

SEC. 28. No person, company, or corporation shall be entitled to any deduction from the amount of any bonds, stocks or money loaned, or on account of any bond, note, or obligation of any kind, given to any insurance company on account of premiums or policies nor on account of any unpaid subscription to any religious, literary, scientific, or charitable institution or society, nor on account of any subscription to, or installment payable on the capital stock of any company, whether incorporated or unincorporated.

SEC. 29. In all cases where deductions are claimed from credits, the assessor shall require that such deductions be verified by the oath of the person, officer, or agent claiming the same; and any such person, officer, or agent, knowingly or wilfully making a fraudulent statement of such deductions claimed, so verified by affidavit, shall be liable to a fine of not less than one hundred dollars nor more than one thousand dollars in addition to all damages sustained by the state, county, or city or local corporations, to be recovered in any proper form of action in any court of competent jurisdiction, in the name of the People of the State of Illinois.

scription to, or installment payable on the capital stock of any company, whether incorporated or unincorporated.

SEC. 29. In all cases where deductions are claimed from credits, the assessor shall require that such deductions be verified by the oath of the person, officer, or agent claiming the same; and any such person, officer, or agent, knowingly or wilfully making a fraudulent statement of such deductions claimed, so verified by affidavit, shall be liable to a fine of not less than one hundred dollars nor more than one thousand dollars in addition to all damages sustained by the state, county, or other local corporations, to be recovered in any proper form of action in any court of competent jurisdiction, in the name of the People of the State of Illinois.

NOTE:—These statements to be scheduled by the Assessor and returned to the County Clerk

No.

STATEMENT BY THE

COMPANY.

[UNDER SECTION 32,)

County of.....

Town of.....

Village (or City) of

School District No T R.

Returned by Assessor and filed in the office of the
County Clerk, this day of

..... 190

County Clerk

These statements should be arranged in alphabetical order and numbered. They should then be scheduled by the Assessor, and said schedule and statements returned to the County Clerk when report of assessment is made. The County Clerk will then transmit statements and schedules to the Auditor of Public Accounts.

SEC. 32. REV. LAW.—Bridges, express, ferry, gravel road, gas, insurance, mining, plank road, stage, steamboat, street railroad transportation, turnpike and all other companies and associations incorporated under the laws of this State (OTHER THAN BANKS ORGANIZED UNDER ANY SPECIAL OR GENERAL LAW OF THIS STATE), and the corporations required to be assessed by the local assessors, as hereinbefore provided, shall, in addition to the other property required by this act to be listed, make out and deliver to the Assessor a sworn statement of the amount of its capital stock, setting forth particularly, etc., (the items printed in statement below). In all cases of failure or refusal of any person, officer, company, or association to make such return or statement, it shall be the duty of the Assessor to make such return or statement, from the best information which he can obtain.

Statement by _____

of capital stock, etc., as required by Sec. 32 of an act of the Legislature of the State of Illinois, entitled "An act for the assessment of property, and the levy and collection of taxes," approved March 30, 1872.

First { *Name of Company or Association*.....
Location of Company or Association.....

Principal office or place of business in the of School District

$$N_0 \quad \text{-----} \quad T \quad \text{-----} \quad R$$

Second	{ Amount of Capital Stock authorized { No. of Shares into which said Capital Stock is divided, No	

Third ..	<div> <div>The Amount of Capital Stock paid up</div> <div>No. of Shares actually issued</div> </div>	No
----------	------------------------------------------------------------------------------------------------------------------	----------

Fourth { Market value of Shares of Stock
 { If no market value, then the actual value.....

Fifth—The total amount of all indebtedness except the indebtedness for current expenses excluding from such expenses the amount paid for the purchase or improvement of property.

		FULL VALUE.	ASS'D VALUE.
Sixth	<div style="display: inline-block; vertical-align: middle;"> <div style="display: inline-block; vertical-align: middle;">The Assessed</div> <div style="display: inline-block; vertical-align: middle;">Valuation of</div> </div>	Lands	\$
		Lots	\$
		Personal Property..	\$

Total assessed valuation of all tangible property of said Company \$ 10,000,000

do solemnly swear that the above statement is true, according to the best of my knowledge and belief.

Subscribed and sworn to before me this, day of

No.

STATEMENT BY THE

COMPANY.

[UNDER SECTION 32.]

County of

Town of

Village (or City) of

School District No. T. R.

Returned by Assessor and filed in the office of the

County Clerk, this day of

190

County Clerk

These statements should be arranged in alphabetical order and numbered. They should then be scheduled by the Assessor, and said schedule and statements returned to the County Clerk when report of assessment is made. The County Clerk will then transmit statements and schedules to the Auditor of Public Accounts.

LIST OF STOCKHOLDERS

IN THE

BANK.

190 .

Town of

Village or City of

School District

County of

Reported by

Assessor, and filed in the office of the County

Clerk, this day

of 190 .

County Clerk.

Entered in the proper column of Personal

Property Assessment book, this

day of 190 .

in the above named bank, as ascertained by me from the list of stockholders kept by said bank.
Given under my hand this day of 190 .

STATEMENT OF

Assessor

of _____ County of _____ and State of Illinois, showing a correct list of the names and residences of the stockholders in the _____ Bank of _____ Illinois, and the number of shares held by each of said stockholders, and the fair cash value thereof, and the one-fifth part of said fair cash value, the same being the assessed value as they existed on the first day of April, A. D. 190____, after deducting real estate in county owned by the bank.

Fair cash value (as fixed by assessors) of the real estate in the county, where the bank is situated, owned by the bank to be deducted proportionately from the value of the shares of stock listed below, \$

I, _____, Assessor of _____ County
of _____, certify that the above is a correct list of the names and residences of the stockholders
in the above named bank, as ascertained by me from the list of stockholders kept by said bank.

Given under my hand this day of 190

STATE OF ILLINOIS, }
CHAMPAIGN COUNTY. } ss

THIS IS TO CERTIFY THAT

_____ in the County of Champaign, and State of Illinois, with the buildings
(if any) situated thereon, was duly assessed _____ to pay

Dollars _____ Cents, as

State, County and other taxes for the year 1907 pursuant to law; that a judgment was rendered against the same at June term of
the County Court of said County, A. D. 1908, and that in pursuance of said judgment, precept was issued to the Collector of said
County, directing him to sell said tract or lot for the sum of _____

Dollars and _____ Cents, being

the amount of judgment for taxes aforesaid, interest and costs; that by virtue of this execution the Collector did this day offer
for sale so much of said tract or lot, as would pay the sum aforesaid, and that _____

_____ became the purchaser of all

of said tract or lot, at _____ per cent, penalty, and paid thereon the sum aforesaid, that being the
smallest penalty for which any person would pay the taxes and cost accruing therein.

NOW, THEREFORE. In case the premises above sold are not redeemed in manner and form as the law directs, within
two years from the date hereof, the said purchaser, his heirs and assigns, will be entitled to receive a deed of the premises above
sold, as by law provided.

Dated at Urbana, this 15th day of June, 1908.

County Clerk.

County Collector.

No. _____

Certificate of Sale of Taxes

June 15th, 1908

COLLECTOR'S OFFICE.....ILL., 1909.

No.....

Date.....*the sum of*
In full of State, County, Town, Road and Bridge, District School, and other Taxes

Name.....

SUBDIVISION	Sec. or Lot	Town Tax.	R. & B. Tax.	Dist. School Tax.	City or Village Tax.	Dist Road Tax.	Dog Tax.	TOTAL TAX DUE
Personal.								

.....Collector

No.

Date 1909

Name

STATE OF ILLINOIS,
Champaign County. }

No.

RECEIVED OF.....the sum of

.....DOLLARS, In full of State, County, Town, Road and Bridge, District School, and other Taxes

for the year 1908, on the following described Real Estate, to-wit:

SUBDIVISION	Sec. or Lot	Town.	Rng. or Blk.	Acres.	Amount.	SUBDIVISION.	Sec. or Lot.	Town.	Rng. or Blk.	Acres.	Val. by State Board	Val. by Board of Rev.	State Tax.	County Tax.	Town Tax.	R. & B. Tax.	Dist School Tax.	City or Village Tax.	Dist Road Tax.	Dog Tax.	TOTAL TAX DUE
Personal.						Personal.															

Collector

OFFICE OF THE

19

To the County Clerk of *County, Illinois.*

In accordance with the provisions of "An Act for the A portion of the township outside of the city or village limits. In all such cases, by adding the proportion placed to the city or village, or of both, as the case may be, to the proportion stated for the township, the total for the township will be obtained.

Respectfully,

To the County Clerk of

County, Illinois.

In accordance with the provisions of "An Act for the Assessment of Property and for the Levy and Collection of Taxes," approved March 30, 1872, the Company makes return of its property for taxation by Schedules, as follows:

Schedule marked **A** shows the property designated by law "Railroad Track," belonging to or controlled by the Company, and the full cash value thereof.

Schedule marked **B** shows a detailed inventory of all property denominated by law "Rolling Stock," belonging to or controlled by this Company, and the full cash value thereof; also the length (in feet) of main track on which said "Rolling Stock" is used elsewhere.

Schedule marked **C** shows the "tools and materials for repairs," and "all other personal property" (except "Rolling Stock,") belonging to or controlled by this Company, and the location and the full cash value thereof.

Schedule marked **D** shows all real estate (other than Railroad Track) belonging to or controlled by this Company, its location and the full cash value.

A "Recapitulation" is added, showing the proportion of the several classes of property listed in said Schedule, lying in each township, city and village in your county. Where a city or village, or both, are in a township, the proportion is first given for the township, embracing only the property which properly belongs to that portion of the township outside of the city or village limits. In all such cases, by adding the proportion placed to the city or village, or of both, as the case may be, to the proportion stated for the township, the total for the township will be obtained.

Respectfully,

SCHEDULE A.—“RAILROAD TRACK.”

Belonging to or Controlled by the

Rail.....Company, in.....County, Ill., ~~May~~ April, 1, 19

1755—P. PETTIBONE & CO., Law and Public Office Stationers, Chicago.

PART OF SECTION OR LOCATION	RIGHT OF WAY			TRACK						* Full Cash Value of Stations and other Improvements on Right of Way	Total Full-Cash Value as listed by Railway Co.				
	Section	Town	Range	Length of Strip in feet	Width of Strip in feet	Acres	VALUE	MAIN				SECOND MAIN		SIDE OR TURNOUT	
								Length in feet	Full Cash Value			Length in feet	Full Cash Value	Length in feet	Full Cash Value

* NOTE.—Not including any Stations or Improvements of a laid-off Town or City Lot.

The above parcels of land embrace a strip or tract of land, extending on each side of the railroad track of the main line of.....
and embracing the same, together with all the Stations and other improvements thereon, commencing at the point where the line of said railroad.....

crosses the.....boundary line of.....and extending to the point where the said
railroad track crosses the.....boundary line of said.....County, said strip or tract of land containing
in all.....acres; and further, this Schedule embraces all the property in said.....County, denominated by the State

Revenue Law “Railroad Track,” which is hereby listed at the aggregate full cash value of \$.....

This Schedule “A” does not include any part of the right of way across any laid-off lots or blocks, in any city or village, or where the railroad track is laid in
any street.

SCHEDULE A.—“RAILROAD TRACK.”

Belonging to or Controlled by the

Rail..

Company, in..

County, Ill., ^{April,}~~May~~ 1, 19

1755—G. F. PETTIBONE & CO., Law and Public Office Stationers, Chicago.

PART OF SECTION OR LOCATION	RIGHT OF WAY					ACRES	VALUE	TRACK						* Full Cash Value of Stations and other Improvements on Right of Way	Total Full Cash Value as listed by Railway Co.
	Section	Town	Range	Length of Strip in feet	Width of Strip in feet			MAIN		SECOND MAIN		SIDE OR TURNOUT			
								Length in feet	Full Cash Value	Length in feet	Full Cash Value	Length in feet	Full Cash Value		

* NOTE.—Not including any Stations or Improvements of a laid-off Town or City Lot.

The above parcels of land embrace a strip or tract of land, extending on each side of the railroad track of the main line of.....
and embracing the same, together with all the Stations and other improvements thereon, commencing at the point where the line of said railroad.....
crosses the..... boundary line of..... and extending to the point where the said
railroad track crosses the..... boundary line of said..... County, said strip or tract of land containing
in all..... acres; and further, this Schedule embraces all the property in said..... County, denominated by the State
Revenue Law “Railroad Track,” which is hereby listed at the aggregate full cash value of \$.....

This Schedule “A” does not include any part of the right of way across any laid off lots or blocks, in any city or village, or where the railroad track is laid in
any street.

SCHEDULE B.—ROLLING STOCK.

Belonging to or Controlled by the

COMPANY,

April 1st, 19

P. F. Pettibone & Co., Law and Public Office Stationers, Chicago. 3155

DESCRIPTION	No.	AVERAGE VALUE Dollars	TOTAL	
			FULL CASH VALUE Dollars	
Locomotives, all classes,				

SCHEDULE B.—ROLLING STOCK.

Belonging to or Controlled by the

April 1st, 19

COMPANY,

P. F. Pettibone & Co., Law and Public Office Stationers, Chicago. 3160

DESCRIPTION	No.	AVERAGE VALUE Dollars	TOTAL	
			FULL CASH VALUE Dollars	
Locomotives, all classes,				
Passenger Cars, all classes,				
Sleeping and Dining Cars,				
Mail Cars,				
Express Cars,				
Baggage Cars,				
House Cars,				
Cattle Cars,				
Coal Cars,				
Platform Cars,				
Wrecking Cars,				
Pay Cars,				
Hand Cars,				
Caboose and Way Cars				
Ore Cars,				
All other Cars,				

Length of Main Track on which said Rolling Stock is used in Illinois,	Miles...	Feet.
“ “ “ “ “ elsewhere,	Miles...	Feet.
Proportion of above Listed Value, to be taxed in Illinois, - - - - -	\$...	
“ “ “ not taxable in Illinois, - - - - -	\$.	
TOTAL, - - - - -	\$.	

SCHEDULE C.—PERSONAL PROPERTY,

Belonging to or controlled by the.....COMPANY,

.....in the County of.....April 1st, 19.....

3240—P. F. Pettibone & Co., Law and Public Office Stationers, Chicago.

WHERE LOCATED ON 1ST DAY OF MAY, 19.....

TOWNSHIP CITY OR VILLAGE

DESCRIPTION OF PROPERTY

Full Cash Value of Tools and Materials for Repairs
Full Cash Value of all other Personal Property
Dollars Dollars

TOTAL FULL CASH LISTED VALUE

SCHEDULE C. PERSONAL PROPERTY,

Belonging to or controlled by the.....

... COMPANY,

.....
in the County of.....

April 1st, 19.....

3210—P. F. Pettibone & Co., Law and Public Office Stationers, Chicago.

WHERE LOCATED ON 1st DAY OF MAY, 19.....

DESCRIPTION OF PROPERTY

Full Cash Value of Tools and Materials for Repairs	Full Cash Value of all other Personal Property	TOTAL FULL CASH LISTED VALUE
Dollars	Dollars	Dollars

TOWNSHIP	CITY OR VILLAGE
----------	-----------------

SCHEDULE D.—REAL ESTATE,

Owned and Controlled by the.....COMPANY,
in the County of.....State of Illinois, on the first day of April, 19....., with its
Location and Listed Value, including all Improvements except the property of said Company denominated "Railroad
Track" by the State Revenue Law.

P. F. Pettibone & Co., Stationers and Printers, Chicago.

LOCATION	DESCRIPTION OF LANDS			FULL CASH VALUE
	PART OF SECTION	Section	Town Range Acres	
				Dollars

Total No. of Acres and Value of Lands,

SCHEDULE D.—REAL ESTATE,

Owned and Controlled by the... COMPANY,
in the County of State of Illinois, on the first day of April, 19... with its
Location and Listed Value, including all Improvements except the property of said Company denominated "Railroad
Track" by the State Revenue Law.

P. F. Pettibone & Co., Stationers and Printers, Chicago.

RECAPITULATION.

Listed Valuation of the Property of the

in the County of and State of Illinois, for A. D. 19

P. F. PETTIBONE & CO., Law and Public Office Stationers, Chicago.

CITY, VILLAGE OR TOWN WHERE LOCATED	Right of Way	LENGTH OF TRACK			FULL CASH VALUATION							Total Full Cash Valuation as Listed by Railroad Co.
		Main	Second Main	Side	Main Track and Right of Way A	Second Main Track A	Side Track A	Improvements on Right of Way A	Rolling Stock B	Personal Property C	Lands D	
	Acres	Feet	Feet	Feet	Dolls	Cts	Dolls	Cts	Dolls	Dolls	Dolls	Dolls

STATE OF ILLINOIS,
COUNTY OF

President, and

Secretary, of the

being duly sworn, depose and say, and each for himself says, that they are the above entitled officers of the said Railway Company, and that the foregoing Schedules, marked A, B, C and D, contain, and are a full, true and correct exhibit of all the property owned or controlled by said Railway Company, which is located in the County of State of Illinois; and further, that said Schedules contain a correct and true statement of all other property in any way appertaining to the operating, constructing or repairing of said Railway, in said County, in whole or in the proportion that said County is entitled to taxation on the same, under the State Revenue Law; and further, that said Schedules are made with reference to the amount, kind and value of the property so Scheduled, as it existed on the 1st day of April, 19, according to the best of their information, knowledge and belief, respectively.

Subscribed and sworn to before me, this

day of 19

Pres't.

Sec'y.

RECAPITULATION.

Listed Valuation of the Property of the

in the County of

and State of Illinois, for A. D. 19

P. F. PETTIBONE & CO., Loss and Public Office Stationers, Chicago

CITY, VILLAGE OR TOWN WHERE LOCATED	Right of Way	LENGTH OF TRACK				FULL CASH VALUATION										Total Full Cash Valuation as Listed by Railroad Co.
		Main	Second Main	Side	Main Track and Right of Way		Second Main Track		Side Track		Improvements on Right of Way	Rolling Stock	Personal Property	Lands	Lots	
					A		A		A		A	B	C	D	D	
					Acres	Feet	Feet	Feet	Dolls	Cts	Dolls	Cts	Dolls	Cts	Dolls	

STATE OF ILLINOIS,
COUNTY OF

being duly sworn, depose and say, and each for himself says, that they are the above entitled officers of the said Railway Company, and that the foregoing Schedules, marked A, B, C and D, contain, and are a full, true and correct exhibit of all the property owned or controlled by said Railway Company, which is located in the County of State of Illinois; and further, that said Schedules contain a correct and true statement of all other property in any way appertaining to the operating, constructing or repairing of said Railway, in said County, in whole or in the proportion that said County is entitled to taxation on the same, under the State Revenue Law; and further, that said Schedules are made with reference to the amount, kind and value of the property so Scheduled, as it existed on the 1st day of April, 19, according to the best of their information, knowledge and belief, respectively.

Subscribed and sworn to before me, this
day of, 19

Pres't.

Sec'y.

UNIVERSITY OF ILLINOIS-URBANA



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